

NO. 1

**JOURNAL**  
**of the**  
**HOUSE OF REPRESENTATIVES**  
**of the**  
**STATE OF SOUTH CAROLINA**



**REGULAR SESSION BEGINNING TUESDAY, JANUARY 13, 2015**

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**TUESDAY, DECEMBER 2, 2014**  
**(STATEWIDE SESSION)**

**Tuesday, December 2, 2014**  
**(Statewide Session)**

~~Indicates Matter Stricken~~

Indicates New Matter

The House assembled at 11:00 a.m.

Deliberations were opened with prayer by Rev. Charles E. Seastrunk, Jr., as follows:

Our thought for today is from Deuteronomy 8:11: "Take care that you do not forget the Lord your God, by failing to keep His commandments, His ordinances and His statutes, which I am commanding you today."

Let us pray. Gracious God, help us to remember that all good things come from Your hand. We give thanks for the opportunity to serve the people of this State. Give us faith, trust, strength, courage, wisdom, and integrity to accomplish the work set before us. Bless these, Your people, in their every effort to do what is right. Bestow Your blessings upon our Nation, President, State, Governor, Speaker, staff, and all who contribute to the success of this body.

Protect our defenders of freedom, at home and abroad, as they protect us. Heal the wounds, those seen and those hidden, of our brave warriors. Lord, in Your mercy, hear our prayer. Amen.

Pursuant to Rule 6.3, the House of Representatives was led in the Pledge of Allegiance to the Flag of the United States of America by the CLERK.

**APPOINTMENT OF THE TEMPORARY CHAIRMAN**

The CLERK of the late House announced that the first order of business is the appointment of a Temporary CHAIRMAN.

The CLERK of the late House appointed Rep. GRADY A. BROWN.

The CLERK of the late House appointed Reps. ANDERSON, BALES, HICKS and KIRBY to escort Rep. GRADY A. BROWN to the rostrum.

Rep. GRADY A. BROWN presented his credentials and the oath of office was administered to him by the CLERK.

Rep. GRADY A. BROWN thereupon took the Chair and offered the following statement:

**TUESDAY, DECEMBER 2, 2014**

Ladies and Gentlemen:

Good morning. It is my sincere honor and privilege to stand before all of you today and share this special time with you. Today is the first day of the rest of our lives. What happened last night, yesterday, last week, last month is gone forever; it is over. We must learn from it and move forward.

Experience, my colleagues, is a great teacher. This day brings a new beginning. To begin with, I want all of you to know how God has blessed me to be able to serve 30 years in this body. Much has happened in the world since I took office in 1984. Many things have changed and some have remained constant.

You know it still takes a majority to pass legislation. The sun still comes up every day, and the moon displays its beautiful view somewhere every night. You and I should know by now that the South Carolina House of Representatives has always been a body that is elected by the people to serve the people of this State.

Each of us is individually and collectively responsible to this state and her people. I look forward to sitting down with all of you during the 2015-2016 Legislative Session to iron out our differences and move South Carolina forward.

We, as a body, need to address the problems at hand faced by our citizens and recognize that there is a solution. Our legislative commitments should be to the dreams of children who desire a better education, for adults who want to work, for the seniors in our State who dream of retirement, for the Veterans who deserve our thanks for a job well done, and small businesses who need a pathway to prosperity.

We, as legislators, individually and collectively have choices to make when it comes to ethics. I applaud our new leader, Jay Lucas, for appointing these new committees to compile a comprehensive ethics package that can pass both the House and Senate in 2015. It has been said that Rep. Lucas brings a breath of fresh air to the position of Speaker and his leadership will bring positive change to South Carolina.

Ladies and gentlemen, leaders are expected to lead and it is time that we, as leaders of our State, work to find financial solutions to improve our highway systems. We, as South Carolinians, are being talked about nationwide about how we have allowed our road system to deteriorate. We have the gorgeous mountains and beautiful beaches and tourists flock to our State so we must make our roads safe to travel, not only to promote tourism in our State, but to promote industrial growth and give each and every South Carolinian safe roads to travel.

[HJ]

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As legislative leaders, we need to do something to fix our State's crumbling road infrastructure and not just talk about it.

It is in South Carolina's best interest that we put more into public education and not less. We all should know that an educated workforce will only help this State as we compete for jobs in our ever growing global economy. Funding public education on an equal basis is now required by state law and should be a top priority for our leadership. There is no substitute for a quality educational system.

We must, as a state, address our tax structure and implement real and comprehensive tax reform by revamping our tax code; revamping a tax code that is fair to all. All South Carolinians deserve to be healthier and we as leaders, should and I hope will, work together to promote better health initiatives for everyone. The color of red is and has been governing South Carolina. Red, today, needs to blend with blue so that we, together, can promote a better South Carolina for everyone; not just the wealthy and affluent.

As we begin this Session, it is my hope and prayer that we will see more teamwork in this state among ourselves and the executive branch. Together, we can accomplish much; separately we can accomplish little. Let's work together and lift each other up.

As I close my remarks, I want to thank each of you for your commitment of service. For the newly elected members, let me personally welcome you to this August Body and encourage each of you to remember that the seat you hold and is entrusted to you belongs to the people in your district who sent you here. It is not your seat, it is theirs. In fact, each of us here should remember that fact.

Mr. Speaker, I urge you to consider forming a panel consisting of community leaders, businessmen and women, and South Carolinians from different walks of life to discuss and make recommendations for a legislative salary increase, affecting no current sitting legislators, for inclusion in the 2016- 2017 state budget.

Let me finally say that I could not have reached this rewarding achievement and length of service without the help, love and trust of my wife, Laura. She has stood by me all these many years, and I love you Laura.

In closing, I would like to thank God for giving me the strength, stamina, and compassion to serve and that He, our Creator, recognizes Grady A. Brown and how blessed I am and have been by the citizens of this great State and Nation. With that ladies and gentlemen of the House, let's go to work and may God continue to bless America.

**TUESDAY, DECEMBER 2, 2014**

**TEMPORARY OFFICERS**

The Temporary CHAIRMAN appointed Mr. Charles F. Reid to act as Temporary Clerk; Mr. James L. Mann Cromer, Jr., as Temporary Reading Clerk, and Mr. Mitchell G. Dorman as Temporary Sergeant at Arms.

**COMMUNICATION**

The following was received:

STATE OF SOUTH CAROLINA  
OFFICE OF THE SECRETARY OF STATE

November 25, 2014  
South Carolina House of Representatives  
Mr. Charles F. Reid  
Clerk of the House  
Post Office Box 11867  
Columbia, SC 29211

Dear Mr. Reid:

Please find enclosed a copy of the election results for the South Carolina House of Representatives as certified to this office by the State Election Commission.

If I can be of further assistance to you, please do not hesitate to contact me.

With warm regards, I am sincerely,  
Tracy Sharpe  
Director of Notaries, State Boards and Commissions

**SOUTH CAROLINA ELECTION COMMISSION**

November 12, 2014  
Honorable Mark Hammond  
Secretary of State  
1205 Pendleton Street, Suite 525  
Columbia, SC 29201

The State Election Commission, in its capacity as the State Board of Canvassers, hereby certifies the winners of State Senate and State House

[HJ]



**TUESDAY, DECEMBER 2, 2014**

District 25	Leola Robinson-Simpson (D)
District 26	Raye T. Felder (R)
District 27	Garry R. Smith (R)
District 28	Eric M. Bedingfield (R)
District 29	Dennis C. Moss (R)
District 30	V. Stephen "Steve" Moss (R)
District 31	Harold Mitchell, Jr. (D)
District 32	J. Derham Cole, Jr. (R)
District 33	Edward "Eddie" Tallon (R)
District 34	Paul Michael Forrester (R)
District 35	William M. "Bill" Chumley (R)
District 36	Merita A. "Rita" Allison (R)
District 37	Donna H. Wood (R)
District 38	Norman D. "Doug" Brannon (R)
District 39	Ralph S. Kennedy, Jr. (R)
District 40	Walton J. McLeod III (D)
District 41	MaryGail K. Douglas (D)
District 42	Michael A. Anthony (D)
District 43	F. Gregory "Greg" Delleney, Jr. (R)
District 44	Mandy Powers Norrell (D)
District 45	Deborah A. Long (R)
District 46	J. Gary Simrill (R)
District 47	Thomas E. "Tommy" Pope (R)
District 48	Ralph W. Norman, Jr. (R)
District 49	John R. King (D)
District 50	Grady A. Brown (D)
District 51	James David Weeks (D)
District 52	Laurie Slade Funderburk (D)
District 53	Richard L. "Ritchie" Yow (R)
District 54	Patricia M. "Pat" Henegan (D)
District 55	Jackie E. Hayes (D)
District 56	Michael Q. "Mike" Ryhal (R)
District 57	J. Wayne George (D)
District 58	Jeffrey E. "Jeff" Johnson (R)
District 59	Terry Alexander (D)
District 60	Phillip D. Lowe (R)
District 61	Roger K. Kirby (D)
District 62	Robert Q. Williams (D)
District 63	Kristopher R. "Kris" Crawford (R)
District 64	Robert L. Ridgeway III (D)
District 65	James H. "Jay" Lucas (R)

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District 66	Gilda Y. Cobb-Hunter (D)
District 67	George M. "Murrell" Smith, Jr. (R)
District 68	Heather Ammons Crawford (R)
District 69	Richard "Rick" Quinn (R)
District 70	Joseph H. "Joe" Neal (D)
District 71	Jonathan C. "Nathan" Ballentine (R)
District 72	James E. Smith, Jr. (D)
District 73	Christopher R. "Chris" Hart (D)
District 74	James Todd Rutherford (D)
District 75	Kirkman Finlay III (R)
District 76	Leon Howard (D)
District 77	Joseph A. "Joe" McEachern (D)
District 78	Beth E. Bernstein (D)
District 79	Maymia M. "Mia" Butler (D)
District 80	Jimmy C. Bales (D)
District 81	Donald L. "Don" Wells (R)
District 82	William "Bill" Clyburn (D)
District 83	William M. "Bill" Hixon (R)
District 84	Christopher A. Corley (R)
District 85	Colonel C. "Chip" Huggins, Jr. (R)
District 86	William W. "Bill" Taylor (R)
District 87	Todd K. Atwater (R)
District 88	McLain R. "Mac" Toole (R)
District 89	Kenneth A. "Kenny" Bingham (R)
District 90	Justin T. Bamberg (D)
District 91	Lonnie Hosey (D)
District 92	Joseph S. Daning (R)
District 93	Russell L. Ott, Jr. (D)
District 94	Jenny A. Horne (R)
District 95	Jerry N. Govan, Jr. (D)
District 96	Lawrence "Kit" Spires (R)
District 97	Patsy G. Knight (D)
District 98	Christopher J. "Chris" Murphy (R)
District 99	James H. "Jim" Merrill IV (R)
District 100	Edward L. Southard, Sr. (R)
District 101	Cezar Edward McKnight (D)
District 102	Joseph H. Jefferson, Jr. (D)
District 103	Carl L. Anderson (D)
District 104	Gregory D. Duckworth (R)
District 105	Kevin J. Hardee (R)
District 106	Nelson L. Hardwick (R)

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District 107	Alan D. Clemmons (R)
District 108	Stephen L. Goldfinch, Jr. (R)
District 109	David J. Mack III (D)
District 110	Harley B. "Chip" Limehouse III (R)
District 111	Wendell G. Gilliard (D)
District 112	F. Michael Sottile (R)
District 113	Jackson Seth Whipper (D)
District 114	Mary E. Tinkler (D)
District 115	Peter McCoy, Jr. (R)
District 116	Robert L. Brown (D)
District 117	William E. "Bill" Crosby (R)
District 118	William G. "Bill" Herbkersman (R)
District 119	Leonidas M. "Leon" Stavrinakis (D)
District 120	William Weston Jon Newton (R)
District 121	Kenneth F. Hodges (D)
District 122	William K. "Bill" Bowers (D)
District 123	Jeffrey A. "Jeff" Bradley (R)
District 124	Shannon S. Erickson (R)

**MEMBERS-ELECT SWORN IN**

The TEMPORARY READING CLERK of the late House then commenced a call of the members-elect of the House of Representatives by roll call resulting as follows:

**ROLL CALL**

The roll call of the House of Representatives was taken resulting as follows:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Chumley	Clary	Clemmons
Clyburn	Cobb-Hunter	Cole
Collins	Corley	H. A. Crawford
K. R. Crawford	Crosby	Daning
Delleney	Dillard	Douglas
Duckworth	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard

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Goldfinch	Govan	Hamilton
Hardee	Hardwick	Hayes
Henderson	Henegan	Herbkersman
Hicks	Hill	Hiott
Hixon	Hodges	Horne
Hosey	Howard	Huggins
Jefferson	Johnson	Kennedy
King	Kirby	Knight
Limehouse	Loftis	Long
Lowe	Lucas	Mack
McCoy	McEachern	McKnight
M. S. McLeod	W. J. McLeod	Merrill
Mitchell	D. C. Moss	V. S. Moss
Murphy	Nanney	Neal
Newton	Norman	Norrell
Ott	Parks	Pitts
Pope	Putnam	Ridgeway
Riley	Rivers	Robinson-Simpson
Rutherford	Ryhal	Sandifer
Simrill	G. M. Smith	G. R. Smith
J. E. Smith	Sottile	Southard
Spires	Stavrinakis	Stringer
Tallon	Taylor	Thayer
Tinkler	Toole	Weeks
Wells	Whipper	White
Whitmire	Williams	Willis
Yow		

The foregoing were then sworn in by the Temporary CHAIRMAN.

**STATEMENT OF ATTENDANCE**

I came in after the roll call and was present for the Session on Tuesday, December 2.

Shannon Erickson                      Chris Hart  
Richard "Rick" Quinn

**Total Present--124**

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**COMMUNICATION**

The following was received:

OFFICE OF THE SPEAKER  
SOUTH CAROLINA HOUSE OF REPRESENTATIVES

September 11, 2014  
The Honorable Charles F. Reid  
South Carolina House of Representatives  
Post Office Box 11867  
Columbia, South Carolina 29211

Dear Mr. Clerk of the House:

In light of recent events, this letter serves as my suspension from the South Carolina House of Representatives pursuant to Section 8-13-560 of the South Carolina Code of Laws, 1976, effective immediately.

I am proactively taking this step because I believe it is the right decision for the South Carolina House of Representatives, its members, and the people we represent.

I have great respect for this institution and the people of South Carolina. I have always sought to act in their best interest and continue to do so now by taking this action and suspending myself from office.

Pursuant to House Rule 1.8, I have asked Speaker *Pro Tempore*, Jay Lucas, to carry out the duties of the office of Speaker of the South Carolina House of Representatives during my suspension.

Sincerely  
Robert W. Harrell, Jr.  
Speaker of the House

**COMMUNICATION**

The following was received:

OFFICE OF THE SPEAKER  
SOUTH CAROLINA HOUSE OF REPRESENTATIVES

October 23, 2014  
The Honorable Charles F. Reid  
South Carolina House of Representatives  
Post Office Box 11867  
Columbia, South Carolina 29211

[HJ]

**TUESDAY, DECEMBER 2, 2014**

Dear Charles,

Pursuant with the court agreement, I am informing you that I am withdrawing from the 2014 election and resigning my office in the South Carolina House of Representatives.

Yours truly,  
Robert W. Harrell, Jr.

#### **ELECTION OF THE SPEAKER**

The Temporary CHAIRMAN announced that nominations were in order for a SPEAKER.

Rep. DELLENEY nominated Rep. James H. “Jay” Lucas of Darlington, as follows:

Mr. Chairman, Ladies and Gentlemen of the House, I rise today to nominate one of my best friends and desk mate for the last fourteen years, James Howell “Jay” Lucas, as Speaker of the South Carolina House of Representatives. In 2010, I had the high honor and privilege of nominating Jay for his first term as Speaker *Pro Tempore*. At that time, neither he nor I had any idea that it would be ordained by the hand of divine providence that he would be nominated for Speaker of the South Carolina House of Representatives today. The apostle Paul tell us in Romans, Chapter 13, about governing authorities, that “there is no authority except that which God has established. The authorities that exist have been ordained or established by God.”

When Jay Lucas in November of 1998, went to bed thinking he had lost his first election to the South Carolina House of Representatives, only to wake the next morning and learn that he had won by 32 votes; certainly that Jay Lucas never had any idea that he would one day be nominated to become Speaker of the South Carolina House of Representatives. Jay Lucas, who ran for Speaker *Pro Tempore* in November 2010, certainly had no idea that one day he would be nominated to lead the South Carolina House of Representatives as Speaker of the House. Although, as unlikely as his election may have been thought, it is certainly not accidental.

Some of history’s greatest leaders were unexpected choices or reluctant acceptors. These individuals accomplished much, redefined positions, and were elevated to heights they never thought possible. They proved to be just the right person at just the right time, displaying extraordinary ability to meet monumental occasions. When accepting the position of Speaker *Pro Tempore*, Jay made a pledge to the House.

[HJ]

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He said, "I promise I will work fairly, honestly, and openly with each member of this body, to promote the honor and integrity of this institution that I really love." This body made the right choice back then by electing Jay Lucas our Speaker *Pro Tempore*, and given the monumental task now facing the House, Jay is the right choice to lead this today at this time in history.

Of the greatest privileges I have been afforded while serving in this House, two of them were being the desk mate of a former Speaker for six years, Bob Sheheen, and then sitting with a future Speaker, Jay Lucas, for fourteen years.

Bob Sheheen once told me that you really do not have a race for Speaker. He said, "They just come and get you." I am sure that was true in the case of Speaker Sheheen's election and I know that it was true in the case of Speaker David Wilkin's election. But, the last election was contested and more of a bared knuckles political race almost up until the day of the election. However, in this case, in Jay's case, there was never any real doubt as to who was going to be elected Speaker. The only person who really may have doubted, was Jay Lucas himself. There was never really any doubt, because they just came and got him. Out of all the 124 members of this body, Jay Lucas possessed the traits that are needed to be a transitional Speaker. He possesses what truly matters to be a great leader.

Intellectual ability matters. Jay graduated from the University of South Carolina in 1975, Phi Beta Kappa. He later received a Master's Degree in Public Administration in 1981 and a Juris Doctorate Degree in 1987, all from the University of South Carolina. In law school, he was a member of the Order of the Coif and he graduated 3<sup>rd</sup> in his law school class. He was a member of the Wig and Robe and was the managing editor of the South Carolina Law Review. There is no one in this body who possesses a greater intellect than Jay Lucas.

Courage and conviction matter. I remember and cite often Jay's experience in his first term in office, the term he won by merely 32 votes. He was basically the deciding vote on a bill that would have ensured the survival of video poker in our State. As a newly elected freshman member, he stood up to the most intense pressure that I have ever witnessed. Pressure applied by droves of lobbyists, legislative leadership, and even the Governor. But he refused to waiver. He followed his conviction and did what he believed was right. Jay is someone who has the courage, conviction, and integrity to do what is right. To stand up for the integrity of this body.

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Jay is committed to God. He belongs to Emmanuel Baptist Church in Hartsville, South Carolina, his family church for successive generations. His faith in Jesus Christ is important to him.

Character matters. Without character, leadership is impossible. Character is the first requirement for leadership. It is the pillar of leadership. Without character, there is no moral authority, there is no respect, and there is no ability of persuasion or inspiration. In short, there is no leadership. Nothing witnesses to Jay's character like his commitment to his family. Jay is committed to his lovely and supportive wife, Tracy, and to his only child and son, Will.

One of the things I will miss about sitting with Jay is hearing about all the things Tracy does for Jay and Will, and of Will's accomplishments. Jay and Tracy couldn't be more proud of Will. He graduated Valedictorian of Hartsville High School and received a four year football scholarship at Virginia Military Institute. He is now pursuing a Master's Degree in analytics at North Carolina State University. There is no doubt in my mind that Jay and Tracy are Will's biggest cheerleaders and his accomplishments reflect the values and hard work ethic his parents have instilled in him.

Lastly, the position of the Speaker is much more than just being the presiding officer of the South Carolina House of Representatives. There are a lot of working parts to the South Carolina House that the Speaker must oversee. We are a body of 124 unique individuals, some who happen to have very powerful personalities. Because of this, we need a Speaker, who can serve as a unifying voice for the entire House. Jay has always applied a broader statewide approach to major issues, always focusing on what would be best for our entire State.

Jay possesses enormous intellectual ability, experience, courage, conviction, character, and integrity. All of those traits are very impressive. But, Jay possesses another trait that is often in short supply, and this is humility. I know of no one in this body who is more humble than Jay Lucas. He is uniquely humble and sincerely cares about people around him and I know he loves and respects each member of this House.

And now, it is my great honor and privilege to place the name of James Howell Lucas in nomination for the office of Speaker of the South Carolina House of Representatives.

On motion of Rep. DELLENEY, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

[HJ]

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The Temporary CHAIRMAN appointed Reps. RUTHERFORD, NORRELL, D. C. MOSS, HENDERSON, SPIRES, FINLAY, WILLIAMS and LIMEHOUSE to escort SPEAKER-elect JAMES H. "JAY" LUCAS to the desk where the oath of office was administered to him by the Temporary CHAIRMAN.

SPEAKER LUCAS thereupon took the Chair and addressed the House as follows:

Mr. Chairman and my distinguished colleagues, there have been few occasions in my life when I have been at a total loss for words.

During those times, I try and think of a movie quote that fits the occasion. I remembered yesterday a William Hurt quote from the 1987 movie *Broadcast News*.

The quote is simply this: "What do you do when your real life exceeds your dreams?"

Which is the exact position I find myself in today.

As my seatmate, Greg Delleney, told you that on November 3, 1998, I could never have imagined serving in this Body, much less as its Speaker.

At 11:00 p.m. on election night, I was told that despite our best efforts, we were going to come up about 15 votes short in my bid to join this Body.

Upon realizing this, I gave a concession speech to the folks who had worked so hard for me—a speech that remains the only election night speech I have given in my sixteen year political career.

After recounts and appeals, I was ultimately declared the winner by 33 votes, earning me the nickname in this Body of "Landslide Lucas," which I carried for quite some time. Thankfully most of the people that gave me that name are gone now.

I remember being sworn in late, after everyone else, by Speaker Wilkins and being assigned the only remaining seat in the Body. I was truly its 124<sup>th</sup> member.

Since my election, I have served on four standing committees. I did not chair a subcommittee until my third term of service. But I worked hard at whatever task I was given in an attempt to gain the respect of my colleagues.

You know, my dad, who has now passed, used to say, "hard work spotlights the character of people. Some of them turn up their sleeves, some turn up their noses and some don't turn up at all." (Sam Ewing)

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So to you new members, show up, roll up your sleeves, work hard and constantly remind yourself that you may truly be whatever you resolve to be in this Body.

I want to take just a brief moment to thank some very special people without whom this day would not be possible.

I have with me today a VERY special guest, my wife of 25 years, Tracy. She was here when I was sworn in 16 years ago, and it only took me getting elected Speaker to get her to come back! It's not that Tracy doesn't like y'all, it's just more important for our family that she stay home and hold things together in Hartsville while I am away in Columbia.

My mom, Shirley, (82) is with me today. My mom watches us on ETV every day. To mom, we are like a soap opera and she definitely has her favorite characters. When Ken Kennedy retired, it was like J.R. Ewing being killed off in Season 2 of Dallas. She mourned for weeks. Mom's current favorite is Todd Rutherford. She says Todd is the best orator in the House, to which I, of course, take great umbrage. Todd, if you would stop by and see Mom after we get through with this and just give her an autograph, I know she would appreciate it.

To Greg Delleney, my seatmate for the past fourteen years and my best friend in the Body, let me simply say that your influence on me has made me a better husband, a better father, a better House member, and a better person. Someone once said friendship isn't about whom you have known the longest, it's about who came and never left your side. Greg, let me just say to you that the hardest part of running for this position was knowing that I would have to leave your side and move away from the person who I have trusted the most over the past 16 years.

I have my son, Will, here and I told Will to stay in school and not to come today. And as he has done for the last 22 years, he has never paid me attention. But Will I love you bro. I have my sister, Allison, my niece, Carol Ann, and Maggie is here also, which means that again no one is at the office and we are again not earning any money.

To Kenny Bingham, Jimmy Merrill, and Brian White, I want to express my appreciation to you for your commitment to the House and your willingness to serve this Body. Each of you would make outstanding Speakers. I sincerely look forward to working closely with each of you in the years to come and I, along with every member of this Body, recognize the incredible talents you bring to the South Carolina House of Representatives.

To Gary Simrill, Murrell Smith, Dennis Moss, and the many members of my "Chief Advisory Council" - The Eating Caucus and to all my other

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wonderful friends in this Body who have put their faith and trust in me, I am incredibly honored and humbled by your support.

As President John F. Kennedy once said, “As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.” My appreciation, therefore, to all of you will be not in what I say today, but in how I conduct myself as Speaker.

Over the next two years, I will heed the Jewish Proverb: “Do not be wise in words—be wise in deeds.”

Finally, to the folks on the desk: Charles, Bubba and the wonderful ladies beside me. Most of them remember the time I came and practiced presiding in December, 2010, after being elected Speaker *Pro Tempore*. Pretty awful, wasn't it?

Needless to say, there has been a lot of “coaching up”—in the last four years. To each of you, let me express my appreciation for the hard work you put in each day and the kindness you have shown me during my tenure as Speaker *Pro Tempore*.

The events that transpired 83 days ago rocked the very foundation on which this Body stands. These events tested our citizen's faith in government. These events, and the resulting responsibilities of this job, tested even my faith at times.

There were many times after becoming the Acting Speaker when I wanted to retreat back into the *Pro Tempore* cocoon which allowed me the satisfaction of presiding over this August Body, yet insulated me from the truly challenging aspects of the Speaker's job. During the first week on the job, there were many times, quite frankly, that I felt overwhelmed. But at some point, I remembered a quote attributed to the American author and humorist, Mark Twain. He once wrote, “The secret of getting ahead is getting started. The secret of getting started is breaking your complex overwhelming task into small manageable tasks and then starting on the first one.” By breaking some of the complex tasks facing our state into smaller manageable tasks and by relying on the strong work ethic of our members of this Body, we were able to provide an opportunity to show that this institution is greater than any single member or any single event.

Our citizens should take pride in the statesmanship their House members displayed during this difficult time. Putting politics aside, and with renewed vigor, we focused our efforts on the issues that matter most to the folks in the State of South Carolina. Because of *your* hard work on the Ethics and FOIA Reform Study Committee, we will prefile up to 15 easy to understand bills - instead of one massive bill - dealing with

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ethics, income disclosure, campaign finance, and FOIA reform. Because of *your* diligence on the Infrastructure and DOT Management Committee, we are the only government entity in the State ambitious enough to face head on the issues dealing with our crumbling roads and infrastructure.

Because of *your* perseverance on the CDV Reform Committee, we are determining how we can substantially reduce the exorbitantly high number of instances of domestic abuse in our State. We have done much in these 83 days to reinforce the foundation upon which this Great House is built, but make no mistake, there is still much work to do.

We *must* complete the daunting task of forming and staffing our Legislative Oversight Committee. For the first time in our history, this Committee will allow the House to inject true accountability into state agencies and become proactive in spotting potential problems before they arise to crisis levels. This oversight process is something I am personally committed to, and I will appoint the true bloodhounds of this Body to help us provide this critical legislative function. We *must* also continue to seek ways to improve the quality of our workforce in South Carolina. We must further reconcile this vital issue with the challenges of providing all of the children of our State with a great 21<sup>st</sup> century education. This is more than a legal obligation, it's a moral obligation. One that will ultimately lead to better employment opportunities and a better future for all of our children. In short, furloughs may be at a premium this year, folks.

Lou Holtz's career was about football, but his legacy is that of an inspirational life-coach. He once said, "Everyone goes through adversity in life, but what matters is how we learn from it." So, what as a Body have we learned that will help provide positive changes and show our citizens that they can perceive this House in a positive manner. Five things for us:

1. We must value time—Punctuality should be a cardinal political virtue; always insist on it in yourself and your members. It's the people's time, let's make sure we use it wisely.
2. Create enthusiasm—Norman Vincent Peale once wrote, "there is a real magic in enthusiasm. It spells the difference between mediocrity and accomplishment." In talking to members during the off-session, I quickly learned that many in our membership felt underutilized and had become discouraged by the lack of opportunities available to them. That's going to change:
  - We will create more leadership opportunities in the House;

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- And we will all have a voice in the collective well-being of this institution which we all love.
3. Empower Our Members—The passage of time and the adherence to tradition has led to an over-concentration of power in the Office of the Speaker. Amassing so much power in the hands of a single member leads to stagnation. Eventually, holding on to that power becomes more important than doing great things with the power of that position.
    - For Example: Appointments – The Speaker has a number of appointments that have been made over the years. We are proposing that these appointments will be posted every month and let members look at them and submit resumes of their constituents who might fit the bill and provide the best person for that position, not the best politics.
  4. We need to be transparent—Sunlight is always the best disinfectant. This Body is full of good, honest men and women who want what's best for South Carolina. We should have nothing to fear from the sunlight, but the public has much to fear from the darkness of secrecy. It's going to be a new, brighter day in the House. There will be no more surprises, no more last minute drafts, and no more opaque skeleton bills. The day of "Just trust me, it's fine" has passed its prime.
  5. Improve Public Relations—Most of you know I would love to go back to a simpler time when there wasn't social media, texting, Facebook, Twitter, or Instagram. I have never taken a selfie and never intend to.

But I do *believe Public Officials have an obligation to speak directly to the people and to the media without relying on press releases.*

How this body is perceived by the public is *critically* important. That perception needs to be an honest one—not a filtered one. During the Session, I will be an ambassador for this Body as we work on the issues important to the citizens of our State.

During the Speaker's Race, I came across a Bible verse, Isaiah, Chapter 6, verse 8. The verse simply reads, "I have heard the voice of the Lord saying, "Whom shall I send, and who will go for us?" Then I said, Here am I; send me." The part of this passage that was compelling to me is the question "who will go for us?". The answer is simple, the Speaker should go for us, every one of us. Like Isaiah, I promise to go

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for each of you, to serve you with honor and distinction. You deserve and you should expect no less from me.

Thank you all so much for this great honor. I look forward to seeing what we can achieve together. God Bless each of you.

**ELECTION OF THE SPEAKER *PRO TEMPORE***

The SPEAKER announced that nominations were in order for SPEAKER *PRO TEMPORE*.

Rep. SIMRILL nominated Rep. POPE as follows:

Mr. Speaker, ladies and gentlemen of the House, I arise with pleasure today to nominate not only my friend, but yours. Allow me, if you will, to take you back just a few decades. You know, when the gas tax was, well, what it is today.

Tommy Pope and I both offered to run for office in 1992. He for Solicitor and me for the House of Representatives. Tommy, of course, was much older than I was then, 29. Tommy was raised in a small community called “Leslie” on the outskirts of Rock Hill and he comes from a service oriented family. His dad was our local Sheriff and his mother was a school teacher. And they instilled in Tommy, who you remember was the “runt” of the family. He was the little one that got picked on, but they instilled in him the virtues of public service. And so he has been that by going into law enforcement, working at SLED, while a student at USC and then, a mentor for him at that time was Chief Strom, who told Tommy that he should go to law school. So, while employed with SLED, Tommy also went to the University of South Carolina School of Law.

Tommy’s best deal for him was his wife, Kim Pope, who is with us today, and their children, Logan, Jacob, Preston and Kaelin. For you see, as Tommy approached his career of being the Solicitor for the Sixteenth Circuit, he was almost immediately thrust into the limelight with the Susan Smith trial that was going on and all that had happened, this young 29 year old was all of a sudden part of the media frenzy. Through this, his integrity shined. His wisdom and knowledge grew and the people of York County trusted him greatly and still do. One thing that you may not know, that during all this, Tommy Pope made People Magazine’s 50 Most Beautiful People Edition. He was edged out on the cover by Brad Pitt, but true to form, if you look up that particular People Magazine up, he is in it. I am not sure what number it is, beyond 50, but he is in it.

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It is amazing to watch someone that we know and trust, grow with that wisdom, knowledge, and expertise. Of course, his was named, "Super Lawyer" both in 2013 and 2014. And he is able to speed past a racing ambulance, you know. But with that, the people of York County also named him, "The Best Lawyer in York County." Of course, with all their super lawyer titles, he gets no cape. But apparently when you join me, we will give him a purple robe. I was thinking about Tommy Pope and our friendship, and what it means to so many people who know him, who trust him, and who work with him and what is thought. But he is, in his young age, a mentor to many and a hero for many. And I can tell you this, that one of my favorite movies, "It is a Wonderful Life," and Clarence Odbody, remember what he wrote in the book, "No man is a failure who has friends." Well, if that is true Mr. Pope, you are a friend, indeed, for those who are in need and we thank you for this service. Thank you for your friendship and thank you for offering to continue to serve this Body in this fashion. We look forward to working with you in the near future.

Mr. Speaker, I place in nomination Tommy Pope as Speaker *Pro Tempore* and I move that the nominations come to a close and that the gentleman be elected by acclamation.

On motion of Rep. SIMRILL, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The SPEAKER appointed Reps. H. A. CRAWFORD, CLYBURN, DOUGLAS, MCCOY, PUTNAM, RILEY, M. MCLEOD and THAYER to escort the SPEAKER *PRO TEMPORE*-elect to the Desk where the oath of office was administered to him by the SPEAKER.

SPEAKER *PRO TEMPORE* POPE thereupon took the Chair and addressed the House as follows:

Thank you members of the House of Representatives. Yes, I was in a People magazine issue, and it is something that has haunted me for about 20 years. I am the "runt" of the Pope family, and my family is here today. My Daddy was Big Elbert. I have a brother who I look up to tremendously, who played football at Carolina, and you may remember, there is a famous defensive end from Rock Hill. I am sure most of you know that famous defensive end, Jimmy Pope, who played for the

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Gamecocks back in the 60's when Paul Dietzel was there, and we won the ACC Championship.

During the time of the Susan Smith trial, People Magazine came and wanted to know all about my life, my kids, and my family. Jimmy's buddies told him that he, too, was mentioned in People Magazine, and he was very excited. I thought a man with all the accolades that he had while playing for the Gamecocks would not need that, but he thought it was important to him. And so he could not wait to get a copy of that People Magazine. That darn Brad Pitt was on the front, and it was not "Beautiful" people, Gary, it was actually "Sexiest." But anyway, I was in the magazine, and my brother got a copy, and he went tearing through it looking for his name. He could not seem to find it in there. They spoke about me and my background, my family, and being a prosecutor, and Jimmy brought it to me, saying, "I thought that my name was in here?". I said, "Well, Jimmy, it is in there, stating that Tommy is one of four children, he has two sisters and a brother, and you are the brother." And so today, to add to the election of this body, I would like to introduce my brother, James Kenneth Pope, so that this can be in the record, Jim. Jim, his wife, Pam, and his son, Jason, Amanda, from my office, our friend, Lisa, are all here with us today. Again, I don't know what kind of weight that this Body carries as opposed to People Magazine, but Jim, this is probably the best that I can do on short notice, brother.

I want to take a moment to thank you guys. When I decided to run, it was really because of the vacancy left by Jay. I actually did not know much about the Speaker *Pro Tempore*. I have gone on now to explain to people, that it is very similar to the Lieutenant Governor. So I am like the Lt. Governor of the State House, and that means that it sounds real good back home, but maybe here not so much. But I really thought what was going to happen was that I was going to move up and sit in Jay's seat, but Dennis said that he had already staked that one out, so that did not work out for me. But before I go, I want to tell you guys that I appreciate your support, and I am going to try to get through this next part.

I want to thank my family, and I am not going to look at her, but Kim has been a blessing to me, which I, too often, take for granted. I know we all deal with this in our families. But when I was Solicitor, traveling around the country, and talking to prosecutors, and doing all the different things, I used to get kind of mad because Kim would not go with me. And I would think that she was not thinking about my needs. But, while I was getting to do all those things, she was at home raising our four children. And I am so blessed to have Jacob, Preston, and Kaylen with

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me today. Logan, our oldest son, is not here today because he has a new job at the Co-op, and we figured that he had better stay at work today. Kim, I do want to tell you, I do not always say it, but the sacrifice that you make for our family, I appreciate it, and I love you. Excuse me a moment, my eyes seem to be sweating.

Ok, now that I got that out of the way, next thing. I don't remember joining into a marital contract, actually, but Kim, through our vows, appointed herself to make sure that I did not get too full of myself. I remember during the Smith trial, all that was going on. I came trucking home and I remember, that fateful day in the bedroom, when we were discussing something, she said, "OK, Mr. Important." And, it was just like what little bit of ego that I had, the air just went out of it. I am going to say now that I appreciate what Kim said to me, and I am still kind of getting over that scar.

There is nothing scarier than a Politician with a microphone and a Bible in his hand. I want to share with you, as I was thinking about all of this, that I love this Body. I mean it sincerely, you guys know that I wear my emotions on my sleeve, and you know how I feel about you guys and this Body. Mary Ruth Simrill, Gary's wife, a couple of weeks ago sent out a devotional from Pastor Chuck Swindoll, and Gary sent it to me. I just want to share this with you, because to me this really speaks to what Jay has talked about and the direction that I think we really need to head in this Body.

It is called "Act Medium." The children worked long and hard on their cardboard shack. It was to be a special spot, a clubhouse, where they could meet, come together, they could play and have fun. Now because it was a clubhouse, it had to have rules. And so they came up with a set of three rules. I think that we are going to do a little more than that this afternoon, but they had three.

1. Nobody act Big.
2. Nobody act Small.
3. Everybody act Medium.

So nobody acted big, nobody acted small and everybody acted medium. And, the verse that I had adopted when I came to the House is the Lord's version of Kim making sure I don't get too jacked up about who I am or how much I have accomplished. The verse states, Phil., Chapter 2: 3-4 "Do nothing out of selfish ambition or vain conceit, but with humility of mind, let each of you regard one another as more important than yourselves. Do not merely look out for your own personal interest, but also for the interest of others."

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This is what we have come here to do. If you were sincere on the stump, and you were sincere on the campaign, you really came here to make a difference. I have news for you, as Speaker *Pro Tempore*, who gets to do very important things, as long as Jay can't control his bladder, we have to keep it in perspective. People did not send us here to lift us up back home, to say how great we are, or to give us a license tag with a cool number on it. They have sent us here to go to work.

I have been talking to a lot of the freshmen, and as we transition and go through change together, I feel the same enthusiasm that they have. I told them that they are coming in at a very, very exciting time. Jay spoke about empowerment and the opportunity to bring what we all have to the table. Each one of us represents the same number of people. There is a representative that I am going to call out, Representative Burns, who spoke with me about this. Representative Burns came in early one morning, and he said to me, "During an election, someone called and said, I can't believe that the guy running for that office took the time to come and see me. I am a nobody." I told him that he was not a nobody. You represent just as many people as I do, just as many people as the guy in the purple robe. We are all in this thing together, and we need to remember that.

We are here together. It doesn't mean that we don't respect you guys who have been here longer. You know those ol' long hair guys like Simrill, for example. But, we all bring something to the table. You know even an old retired Judge might be able to bring something to the table, Judge Clary. I think that this is important to remember, because we all come from all walks of life, and we as a Body, can become strong together by recognizing this.

When I ran for Solicitor, I was 29 years old and the truth was, I was too young, but I could not let them see me sweat, at that point. The prosecutor that I was running against was talked about for his vast experience. I said that sometimes it's not about experience. Sometimes it is about ability and the desire to go and do it. We have a lot of those people, and that is the reason that we are all here. So as you greet and get to know these folks who have just come through those doors, remember they have something to offer, too. Do not let the first time that you talk to a new member or any member, be the time you need something. Don't wait until it's time to vote or you need help with a bill, because our relationships are more important.

I remember when I brought Jacob here for a day. It was four years ago and I was so excited when I came into this body with my son, Jacob, who was in middle school at that time. He spent the entire day with us- at

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lunch with the Eating Caucus group, all the meetings, and the events in the evening. We had a great time and his dad was all blown up cause I am a legislator and we were riding home and I asked, "Jacob, so what did you think?". This is the time for your child to look up to you, praise you and tell you how proud he is. He responded, "Well, Dad, the truth is, this place is a lot like middle school." And I responded, "Well bubba, more than you know." You guys that are freshmen, there is like a bad afterschool special, the jocks and the cools kids and we are all trying to fit in. This place, we are adults, it does not need to be like that, and actually that works to our detriment if we are creating some pecking order that keeps us from bringing our best to the table. Be friends, first, and build relationships without looking for something in return. Jay and I were talking about some bills and traditionally, it is always about wanting to get your name on a bill, where is your name on the bill, and how far from the top your name is located. For you new guys, watch out, if the bill tanks, your name will get quickly moved to the top, so just be ready for that. But the goal for a team is not worrying about who gets the credit, not worrying about whose name is there, because ultimately if we do not worry about whose idea it is, then good things will happen, and good things will come from our efforts. Then, we will move forward regardless of who came up with the road's bill, or who came up with which particular section of the Ethic's bill, and I think this is what we need to do. If we do not worry about whose idea it is, as long as it is an idea that benefits this State, then we are doing what we were sent to Columbia to do. I will tell you guys what I really think, and we have spoken about it, and hopefully we are moving forward today.

We have an image problem in this Body. Each one of us was sent from our community to make a difference. I came in here the first day, excited and how great it was for me. I had my suit on, got in my seat and magically, you have all this history. It was really rolling well for me, right until Representative Simrill pulled out that little writing board on his desk and I dropped my pen. Next, I cut my head open, then I was feeling not so important. It was as if Kim might have made that happen so I would not feel so important. It was hard to look so important and official with a bandaid across my head. But for the most part, I was so excited about the honor and history of this building and what it meant. As I look over the last four years, it is almost worse to be a Legislator than an ambulance chaser or used car salesman, you know. I mean it is a negative. How many of you came here because it was a cool negative place to be. You came here for the honor, but you came here to make a difference in your community and that is hopefully just what we are

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going to do. And I tell you, there is one representative that the people for the most part trust. There is one representative that the people for the most part believe in - the representative in their community, because when you are back home to your district, you are the one talking to these people and working with them. When we talk about Columbia and we talk about the Legislature, they are glad that we are here to represent them. It is the rest of the 123 crooks that they need to worry about, right? OK, well what we have to start doing is to do good works collectively here, and taking those good works back home, not what Tommy did or not what Representatives so-and-so did, but what the Legislature did for the people of South Carolina. And there are a lot of positives that we can do in that regard.

Each of us take care of our own conduct, and all of our accomplishments, whatever they may be, whatever committee you do not serve on, can raise debate for all of us, and raise the debate in honor for what this Body is supposed to really be about. I also think that what we need to do is to remember not to be driven by the critics. You know what bills traditionally get passed, those in the newspaper. This does not mean to not listen to your constituents. But we just keep oiling the squeaking wheels all the time, because if we get driven by the critics all the time, how are we ever going to know what we don't like. If we start doing it right, then what are the critics going to write about? So rest assured, there is always going to be something that they are going to say and always going to be something that they write about. This is why my favorite quote, which I want to share with you from Teddy Roosevelt, many have heard, but I think that it is important and you need to dial this into your psyche, as far as being in the Legislature. The man in the arena: "It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best, knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat."

So when we decide what we do in this body, let's decide based on what is right for this State. Let's decide, based on what we need to do,

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to take care of the same business we told the people we would take care of when were on the campaign trail.

And finally, I want to get one concern out of the way and don't sweat it, this is my last verse, but there was some concern as far as me taking this position because I had some high aspirations. Clearly, being the Lieutenant Governor of the House, man, how do you go any further than that, so I am in. But that I have higher aspirations, and somehow I would not give my all to you in this Body, and I would not focus on the work before this Body. You guys, who know me and I consider friends, know that this is not true, but let me tell you, in Matthew, Chapter 6:34, Jesus says, "Therefore do not be anxious for tomorrow, for tomorrow will care for itself. Each day has trouble enough of its own."

Under Speaker Lucas' leadership, we are going to get to work with the trouble that we have today. We are going to go to work on Ethics, knock it out and send it across the hall, going to work on Infrastructure, work on Education, and work on Domestic Violence. So today, I challenge you guys, and I am here to do my part, "Let's dare greatly, let's tackle the tough issues, and while we are doing it, let's all remember the kids in the clubhouse, let's act Medium".

It is an honor to serve you, an honor to work with our new Speaker. I love every one of you and I love this Body. Thank you.

#### **ELECTION OF THE CLERK**

The SPEAKER announced that nominations were in order for the Clerk of the House.

Rep. HIXON nominated MR. CHARLES F. REID of Columbia as follows:

Ladies and gentlemen, I've known Charles Reid for more than a decade. We first met about twelve years ago on a hunting trip amongst mutual friends, and from the beginning we've had a wonderful relationship. It is with great pleasure that I stand before you today and nominate Charles Reid to be our Clerk.

Charles Reid is a native South Carolinian, is the son of a Methodist minister, and has lived in the upstate, midlands, and lowcountry of our State. He is a Magna Cum Laude and Phi Beta Kappa graduate of Wofford College. After college he completed his education at the USC School of Law where he was a member of the Order of the Wig and Robe.

Charles has extensive legal experience in both the private and public sectors. He has practiced extensively in the areas of administrative and

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regulatory law, criminal prosecution, governmental law, and constitutional law. During his 21 years of practice he has appeared in both South Carolina Circuit Courts and Appellate Courts--including numerous appearances before the South Carolina Court of Appeals and Supreme Court.

During his tenure with the House, he has served as Chief of Staff and Legal Counsel to former Speaker David Wilkins, as chief staff attorney for legislative redistricting, and as legal counsel to the House Rules Committee, the House Ethics Committee, and the House Ways & Means Committee.

In 2004, Charles was elected Clerk of the South Carolina House of Representatives. He has continued to serve us in this capacity and oversees the daily administrative and personnel operations of the House. If you have served in the House for any length of time you know that Charles has great knowledge of the House Rules and procedures and works very hard, along with the rest of the House staff, to serve us in performing our legislative responsibilities.

Charles is also an adjunct professor at the USC School of Law where he teaches a class entitled "*The Legislative Process*" to second and third year law students. He has also authored and co-authored several legal articles in various treatises and journals.

Charles is the son of Reverend and Mrs. George B. Strait and the late Reverend William C. Reid. He, and his wife, the former Miss Taj Burnside, and their three daughters, Callie, Emily, and Lilly, reside in Columbia, South Carolina. Charles is a good friend and a strong asset to the House. He, and the House Staff that work with him, go to great efforts to help us. We have difficult jobs as legislators, but our staff, led by Charles Reid, makes it much easier for us.

Mr. Speaker, it is with great pleasure that I nominate Charles Reid to be the Clerk of the South Carolina House of Representatives.

On motion of Rep. HIXON, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

The oath of office was administered to him by the SPEAKER.

#### **ELECTION OF THE SERGEANT AT ARMS**

The SPEAKER announced that nominations were in order for the Sergeant at Arms.

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Rep. LONG nominated MR. MITCHELL G. DORMAN of Kershaw as follows:

Thank you Mr. Speaker. Today I would like to place the name of Mitchell G. Dorman in nomination of Sergeant at Arms for the South Carolina House of Representatives.

For those of you who are new, you may not know who Mitch is, he is the tall gentleman in the back of the Chamber with some of his staff, but believe me, they know who you are. They knew who you were before you got here. This kind of surprised me, but I think it is a testament to him and all staff in this building, that they make a point to know who were are once we arrive here.

Mitch began working for the House of Representatives in 1983. He was promoted to Assistant Director of Security in 1986, and four years after that, he was first elected to Sergeant at Arms on December 4, 1990.

He is a graduate of the pride of Lancaster County, USC-Lancaster in Criminal Justice and he has in turn has made USC-Lancaster and Lancaster County proud. He married to the former Leah Blanton of Spartanburg and they have a son, Nicholas, who is now 16 years of age and actually, participated in the seat selection when he was a little bitty thing up here. They reside in Kershaw, which is in Lancaster County, even though we know there is a Kershaw County, it can be a bit confusing out that way.

Mitch and his staff are very professional and operate in a non-partisan manner. They are dedicated and loyal to the members of the House, regardless of party, length of service, or position. Mitch and his staff will give you 100% if you need their help. They all make us safe us feel as safe as a baby in a mother's arms, I must say, and at any time when we have a problem, I always go to Mitch or his guys.

Mr. Speaker, it is my pleasure to place the nomination of Mitchell G. Dorman for Sergeant at Arms. And I move that the nominations be closed and Mitch be elected by acclamation.

On motion of Rep. LONG, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

#### **ELECTION OF THE READING CLERK**

The SPEAKER announced that nominations were in order for the Reading Clerk.

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Rep. KING nominated MR. JAMES L. MANN CROMER, JR., as follows:

Mr. Speaker, my fellow colleagues, staff members, and our honored guests...when you follow the likes of Representative Joe Neal, Speaker-Elect Jay Lucas, (former) Representative Vida Miller, Representatives Gilda Cobb-Hunter, Dan Cooper, Jimmy Bales, Todd Rutherford, and Shannon Erickson, you have your work cut out for you, when you are supposed to nominate Bubba Cromer.

Bubba Cromer has been here, up in this Chamber, every single day of the Legislative Session for twenty-four years. For real, every day for twenty-four years.

So how do you say something new about something so old? Make something fresh, that might otherwise be stale? Bubba e-mailed me his resume, but that didn't do it. So I did a little research on my own and found his biographical statement, in his own words, on his Bigfoot Movie website. And I respectfully ask your indulgence to share it with you at this time.

So, in Bubba Cromer's own words, "When you boil it down to a low gravy, I guess you could call me a homebody. I live and work a stone 's throw from Dreher High School, my Alma Mater where I served as Student Body President. My current roommates are a Snow White Golden Retriever named Casper, a black rescue cat named Spooky Spook and a fourth-generation family of raccoons in my back yard that eat out of my hands. That's true, y'all, 'cause Gilda and I have seen them ourselves.

After High School, I attended Clemson University like my Father and Grandfather before me. There, I joined Sigma Alpha Epsilon (S.A.E.) (also known as sleep and eat) and was fraternity President for two years. I also chaired the Speaker 's Bureau and recruited celebrities like Leonard Nemoy, Red Foxx, James Taylor, Jessie Jackson, John Belushi's widow, and Red Buttons.

My senior year at Clemson, I passed up job offers from the likes of Procter and Gambell and Colgate-Palmolive to attend Law school at the University of South Carolina. The summer following my first year of law school, I took a job at Hudson 's Seafood House on Hilton Head Island, where I was able to bartend, wait tables, and be an understudy to an extraordinary Island Chef named James Davis. Under James, I was able to develop my truest passion, cooking! I was quickly promoted to sous chef and was having the time of my life. That summer, after accepting a drunken challenge to enter a legs contest, I ended up winning

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a free trip to Hollywood to be cast in a California Wine Cooler Commercial.

That Spring Break, I took the trip to Hollywood alright, but NOT to be in a Wine Cooler Commercial; rather, to stick my writing sample under my arm and schlep myself up and down Wilshire Boulevard in search of a real law job! I landed three offers.

For the next two years, I was an associate at a Los Angeles Firm who represented, among other clients, Warner Brothers Studios. But two years of California Dreamin' was all this southerner needed to contract an incurable case of homesickness. So I sucked up my pride, tucked my tail between my legs, sold all my worldly belongings by the roadside, and headed home.

When Hurricane Hugo hit two weeks later, I found myself assuming the role of Disaster Relief Coordinator at Ground Zero-the Foreign Trade Zone in Dorchester County. Since then, I have practiced Probate and Estate, Criminal Defense, and Civil Rights Law. I have served as the only true Independent Member of the South Carolina General Assembly. After retiring from that, I was elected Reading Clerk by the S.C. House of Representatives. I was awarded the State's highest civilian honor, the Order of the Palmetto, in 1998.

But, while that might sound like a lot, I still felt like I was trying to tackle a field of kudzu with a busted weed eater. I needed to create, not conquer. So I wrote a novel in 1997: Blue. It was better and cheaper than therapy. And it finally put into print the life story of my center of influence. My rock. My grandmother: Aubrey Rochelle Merritt. Then, I achieved the most gratifying honor of my lifetime: Reading it to her before she passed on later that winter. That was 14 years ago. I dreamt about her last night. No doubt I will again do so this evening."

So that's how Bubba Cromer describes himself and I felt it was worth sharing. Bubba Cromer is also my friend. And I'd like to take this opportunity to tell our freshman colleagues just a couple more things. Bubba Cromer was a Member of this place just like us. But unlike the rest of us, Bubba was an Independent. From start to finish. In fact, Bubba had to sue the State just to get himself on the ballot. And once Judge Matthew Perry allowed him to get on it, Bubba Cromer had to fight Attorney General Travis Medlock all the way to the 4th Circuit Court of Appeals to preserve his right to stay on the ballot.

Bubba Cromer stayed on that ballot and won! By 58%, by 68%, and by 82%, as an Independent. But y'all be careful now...even though he speaks three languages-- four if you include "Hillbilly", Bubba Cromer is crazy. And he will mess with you. If we're in Session on April Fool's

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Day, watch your back. Just sayin'! But seriously, what I believe best describes my friend is this. When we adjourn from here every day, some of us go home. Some of us go to receptions. Some of us go out to eat. Some folks even go out to drink. (But I'm not calling out anybody here.) But when we adjourn from here every day, my friend, Bubba Cromer, goes to the Oliver Gospel Mission -- South Carolina's oldest homeless shelter. When I asked him what exactly he did there, Bubba said he didn't want to get into it. But basically he works hard, multi-tasks like hell, and makes folks smile. When I thought about that, I realized those are the exact same character traits that make Bubba who he is. So Mr. Speaker, I wish to place in nomination the name of my friend, our Reading Clerk, James L. Mann "Bubba" Cromer.

Thank you all for your indulgence.

On motion of Rep. KING, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

#### **ELECTION OF THE CHAPLAIN**

The SPEAKER announced that nominations were in order for the Chaplain.

Rep. ALLISON nominated REV. CHARLES E. SEASTRUNK, JR., of Columbia, as follows:

Thank you, Mr. Speaker, and members of this great body. We will come together daily in this Chamber to find hope and peace in an unsettling world. We will agree and disagree, hopefully to find the best for our State and our citizens. I am honored and pleased to place in nomination one who has proven to be certified, qualified, and gives us hope and peace each day as we begin session, respecting the honor of serving in this great Body.

Rev. Charles E. Seastrunk, Jr., of Columbia, married to the former Susan Truesdell, is the father of 2 children, Charles and Susan. He has served as our House Chaplain since 2002. He is a retired USAF Chaplain and serves as a supply pastor.

Rev. Seastrunk gives us hope and peace through his uplifting words each morning and then his prayers are compiled in the House Prayer Booklets that are not only a blessing to us but our constituents. It is an humbling honor to place in nomination one who has proven his dedication to caring and giving, lifting and supplying spiritual guidance to each member of this great body. That servant is Rev. Charles E.

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Seastrunk, Jr., and I place his name in nomination for the SC House Chaplain. And Mr. Speaker, I offer a motion that this nomination come to a close on this office and that Rev. Charles E. Seastrunk, Jr., be elected by acclamation.

On motion of Rep. ALLISON, nominations were closed and, with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominee.

**OFFICERS SWORN IN**

The SPEAKER administered the oath of office to the Sergeant at Arms, Mr. Mitchell G. Dorman, the Reading Clerk, Mr. James L. Mann Cromer, Jr., and the Chaplain, Rev. Charles E. Seastrunk, Jr.

**MOTION ADOPTED**

Rep. HERBKERSMAN moved that when the House adjourns, it adjourn in memory of Jeannie "Jenny" Bedenbaugh of Prosperity, which was agreed to.

**SILENT PRAYER**

The House stood in silent prayer for Mrs. Harriett Neal, wife of former Representative Jimmy Neal.

**HOUSE RESOLUTION**

The following was introduced:

H. 3000 -- Rep. Lucas: A HOUSE RESOLUTION TO PROVIDE A PROCEDURE FOR ALLOTING SEATS TO MEMBERS OF THE HOUSE OF REPRESENTATIVES FOR THE 2015 AND 2016 SESSIONS OF THE GENERAL ASSEMBLY.

The Resolution was adopted.

**ALLOTMENT OF SEATS**

The SPEAKER then announced that the House would proceed to the allotment of seats, the names of the counties being drawn from a container by Lillian Faith Reid, daughter of Charles Reid, Clerk of the House.

**ALLOTMENT OF SEATS**

Alexander	47	Allison	61
Anderson	30	Anthony	111

[HJ]

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Atwater	42	Bales	110
Ballentine	37	Bamberg	16
Bannister	40	Bedingfield	55
Bernstein	88	Bingham	27
Bowers	109	Bradley	108
Brannon	45	Brown, G. A.	31
Brown, R. L.	32	Burns	52
Chumley	51	Clary	18
Clemmons	119	Clyburn	15
Cobb-Hunter	75	Cole	49
Collins	17	Corley	13
Crawford H.	116	Crawford K.	114
Crosby	94	Daning	95
Delleney	7	Dillard	39
Douglas	76	Duckworth	102
Erickson	113	Felder	5
Finlay	89	Forrester	60
Funderburk	23	Gagnon	71
Gambrell	70	George	93
Gilliard	34	Goldfinch	120
Govan	90	Hamilton	41
Hardee	101	Hardwick	117
Hart	72	Hayes	92
Henderson	58	Henegan	50
Herbkersman	106	Hicks	44
Hill	87	Hiott	19
Hixon	3	Hodges	1
Horne	123	Hosey	14
Howard	62	Huggins	36
Jefferson	65	Johnson	103
Kennedy	21	King	81
Kirby	46	Knight	80
Limehouse	29	Loftis	53
Long	112	Lowe	115
Lucas	118	Mack	35
McCoy	25	McEachern	77
McKnight	79	McLeod M.	73
McLeod W.	98	Merrill	121
Mitchell	91	Moss, D. C.	6
Moss, V. S.	56	Murphy	124
Nanney	59	Neal	63

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Newton	107	Norman	4
Norrell	22	Ott	74
Parks	67	Pitts	68
Pope	11	Putnam	85
Quinn	26	Ridgeway	78
Riley	66	Rivers	96
Robinson-Simpson	38	Rutherford	82
Ryhal	100	Sandifer	104
Simrill	10	Smith, G. M.	9
Smith, G. R.	54	Smith, J. E.	83
Sottile	28	Southard	97
Spires	20	Stavrinakis	24
Stringer	57	Tallon	48
Taylor	2	Thayer	84
Tinkler	122	Toole	43
Weeks	8	Wells	12
Whipper	33	White	86
Whitmire	105	Williams	64
Willis	69	Yow	99

Rep. YOW moved that the House recede until 3:15 p.m., which was agreed to.

**THE HOUSE RESUMES**

At 3:15 p.m. the House resumed, the SPEAKER in the Chair.

**POINT OF QUORUM**

The question of a quorum was raised.

A quorum was later present.

**LEAVE OF ABSENCE**

The SPEAKER granted Rep. MURPHY a leave of absence for the remainder of the day.

**H. 3001--ADOPTED AND AMENDED**

The following was introduced:

H. 3001 -- Reps. Lucas and G. M. Smith: A HOUSE RESOLUTION TO ADOPT THE RULES OF THE HOUSE OF REPRESENTATIVES FOR THE 2015 AND 2016 SESSIONS OF THE GENERAL ASSEMBLY.

[HJ]

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Amend Title to Conform.

Be it resolved by the House of Representatives:

That the following rules are adopted as the Rules of the House of Representatives for the 2015 and 2016 Sessions of the General Assembly:

**“Rule 1**

**The Speaker**

***Speaker Pro Tempore***

**1.1** The Speaker shall take the chair on every legislative day precisely at the hour to which the House adjourned at the last sitting, immediately call the members to order, cause prayer to be said, the Journal of the previous proceedings to be corrected, and if a quorum be present, proceed to other business.

**1.2** The Speaker shall preserve order and decorum, and, in case of disturbance or disorderly conduct in the galleries, or in the lobby, may cause the same to be cleared. Any person guilty of contempt of the House may be ordered into custody by the House and dealt with as it deems proper.

**1.3** If any member, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall call him to order, or any member may call such transgressions to the attention of the Speaker who shall call the transgressor to order. If repeated cries of order are ineffective, the Speaker may call a member by name, and if the Speaker deems it necessary, he shall state the offense committed. The member may be heard in his exculpation and shall withdraw, and the House shall consider his punishment or any further proceedings to be had.

**1.4** The Speaker shall sign all acts, joint resolutions, memorials, writs, warrants, and authorizations for payment or other papers authorized by the House.

**1.5** The Speaker shall decide all points of order, subject to an appeal by any member, and he may require the member raising a point of order to cite the rule or other authority in support of the question. With unanimous consent, a member may withdraw a point of order the member has raised. Upon appeal, no member shall speak more than once

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and for no longer than twenty minutes each, except by permission of the House.

**1.6** The Speaker may vote in all cases (except when he may be personally or pecuniarily interested). If the House be equally divided, the question shall be decided in the negative. The presiding officer may give information or explain any matter before the House; he may speak on points of order in preference to other members, and as often as he may deem necessary, but he shall not enter into any debate or endeavor to influence any question before the House while presiding. Provided, the Speaker, in his discretion, may address the body concerning matters of importance to the House.

**1.7** The Speaker shall be elected on the opening day of the organizational session by the membership of the House.

**1.8** The Speaker *Pro Tempore* shall be elected on the opening day of the organizational session. The Speaker *Pro Tempore* shall preside in the absence of the Speaker. *Provided*, the Speaker or the Speaker *Pro Tempore*, whoever may be presiding at the time, may name a member to preside, but such substitution shall not extend beyond an adjournment. In the absence of the Speaker and the Speaker *Pro Tempore* for more than one day, the House may elect a Speaker *Pro Tempore* to serve until the return of the Speaker or Speaker *Pro Tempore*. When the Speaker *Pro Tempore* is absent for more than three consecutive statewide legislative days, the House of Representatives may elect an acting Speaker *Pro Tempore* who shall serve until the return of the Speaker *Pro Tempore*. The acting Speaker *Pro Tempore* may continue to serve on any committee to which he has been appointed.

**1.9** All committees shall be appointed by the Speaker, unless otherwise provided for by rule or by law, except Senatorial and Gubernatorial appointees and *ex officio* members of the House. The Speaker shall name the members constituting each committee in alphabetical order. The Chairman shall be elected by the respective committees during the organizational session. If any subsequent vacancy shall occur in a committee's chairmanship, the election of a new committee chairman shall take place at the time and date to be set by the presiding officer of the respective committee. The committees may at their discretion elect a Vice-Chairman and such other officers as they may choose.

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**1.10** The Speaker is responsible that all amendments ordered by the House be correctly made and that the attention of the House be called to all amendments made by the Senate since the matter was before the House. All Senate amendments to matters previously considered by the House and all House amendments to matters previously considered by the Senate shall, after adoption, be printed by use of distinctive type interlineation in such a manner as to reflect in one text the original version and the language of the amendment.

**1.11** If the Speaker or Speaker *Pro Tempore* resigns from such position, he shall submit his resignation to the Clerk of the House in writing. This procedure shall be followed in the case of the resignation of any elected officer of the House.

**1.12** In case of emergency, the Speaker has the authority, when, in his opinion, it is impractical or dangerous to hold a regularly scheduled session(s) of the House of Representatives, to declare the body adjourned to some other time. Such actions are to be taken only in times of great emergency including, but not limited to, natural disasters, severe weather, and Acts of God.

When, due to great emergency or through inadvertence, the House is adjourned without provision for the next meeting, the Speaker may issue a call specifying the time for the next meeting.

### **Rule 2**

#### **Elected Officials**

##### **Clerk, Reading Clerk, Chaplain, and Sergeant At Arms**

**2.1** The Clerk shall be elected by the membership of the House for a term of two years. This election will take place on the opening day of the organizational session.

**2.2** The Clerk of the preceding session shall, at the beginning of the organizational session of the House, call the members to order, proceed to call the roll of members in alphabetical order, and pending election of a Speaker, Speaker *Pro Tempore*, or temporary officers, preserve order and decorum, and decide all questions of order subject to

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appeal by any member. The duties of this section may be delegated by the Clerk to any member of the House.

**2.3** The Clerk shall cause to be kept a correct Journal of the proceedings of the House, and this Journal shall be numbered serially from the first day of each session of the Legislature. He shall not permit any books or papers belonging to the House to be taken out of his custody other than in the regular course of business and then upon receipt when he deems necessary. He shall report any missing papers to the Speaker.

**2.4** The Clerk of the House shall cause to be prepared and laid on the desks of the members every morning an itinerary of the day's business to be called the Calendar. This Calendar shall include the orders of the preceding day and all continued matters arranged according to priority, and numbered from the commencement of the session, every matter being introduced and newly numbered after every new order upon it.

**2.5** The Clerk shall assist, under the direction of the Speaker, in taking roll call or division votes.

**2.6** The Clerk shall issue all pay certificates for *per diem* and mileage and incidental expenses upon the order of the Speaker, the signature of the Speaker being attested by the Clerk. The Clerk shall also attest to all writs and warrants and to the passage of all bills, resolutions, and memorials.

**2.7** The Clerk shall prepare in writing, present to the Speaker for his signature, and send all messages to the Senate and elsewhere as ordered by the House.

**2.8** The Clerk shall also be charged with the duty of having executed, in a prompt and accurate manner, all the printing required by the Rules or orders of the House.

**2.9** The Reading Clerk shall be elected by the membership of the House for a term of two years. This election will take place on the opening day of the organizational session.

**2.10** The Reading Clerk shall read all papers to be read at the desk, which the Speaker may direct him to read and shall assist in taking any

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roll call votes at the Speaker's direction. Upon ordering of a roll call vote, or upon a quorum call, the electronic roll call system is to be used following the procedure of Rule 7.3. When the electronic roll call system is not operating in any manner, the Reading Clerk shall call the roll and take the names of all who vote 'aye' and all who vote 'nay' which shall be entered in the Journal and the provisions of Rule 7.3 shall not apply. If, during the course of an ordered electronic roll call, the electronic roll system malfunctions, in such a manner that the number of aye votes and the number of nay votes are recorded but the names of the members so voting are not recorded, the vote shall stand, and any member desiring to publish a record of his individual vote may submit a statement which shall be printed in the House Journal. If, during the course of an ordered electronic roll call, the electronic roll call system malfunctions in such a manner as to record no accurate information as to the vote totals, the question shall be resubmitted and the Reading Clerk shall call the roll of the members as hereinabove specified.

*Provided*, however, in the case of a malfunction in the electronic roll call where the roll call to be taken is mandated by the Constitution or Statutes, any malfunction will void the roll call and it will be retaken.

*Provided*, that whether the ayes and nays are taken by electronic roll or otherwise, they shall be recorded by the Clerk in the Journal.

**2.11** The Chaplain shall be elected by the membership of the House for a term of two years. This election will take place on the opening day of the organizational session.

**2.12** The Chaplain shall provide spiritual guidance for the membership of the House.

**2.13** The Sergeant at Arms shall be elected by the membership of the House for a term of two years and shall be under the direct supervision of the Speaker of the House. This election will take place on the opening day of the organizational session.

**2.14** The Sergeant at Arms shall assist the Speaker in maintaining order and decorum.

**2.15** The duties of the Sergeant at Arms, shall be as provided for in Chapter 3 of Title 2, Code of Laws of South Carolina, 1976, as amended.

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**2.16** The Sergeant at Arms may designate, subject to the approval of the Speaker, other staff members of the House to assist the Speaker and the Sergeant in performing such duties as they may direct, in accordance with Chapter 3 of Title 2, Code of Laws of South Carolina, 1976.

### Rule 3

#### Members and Membership

**3.1** Every member shall be within the House Chamber during its sittings unless excused or necessarily prevented, and may vote on each question put, except that no member shall be permitted to vote on any question immediately concerning his private rights as distinct from the public interest.

**3.2** The Speaker may excuse any member from attendance on the House and its committees for any stated period upon reason shown, and such excused absence shall be noted in the Journal.

**3.3** Any member absenting himself from attendance on the House or its committees and having in his possession any original papers relating to the business before the House, shall leave such original papers with the Clerk before departing from the Capitol.

**3.4** Any member who enters after the roll call at the opening of the daily session and notifies the Clerk in writing shall thereafter be shown as present for such day. *Provided*, that no person except those recorded present shall be eligible for subsistence for that day.

**3.5** In cases of contest for a seat in the House, notice setting forth the grounds of such contest shall be given by the contestant to the House within three calendar days after the House first convenes, and in such case, the contest shall be determined by majority vote as speedily as reasonably possible.

**3.6** When the House is called to order, every member shall take his seat and shall act with decorum at all times when the House is in session. Every member, when about to speak, shall rise from his seat and respectfully address himself to 'Mr. Speaker' and shall avoid disrespect to the House or the Senate and all personalities, observe

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decency of speech, and shall confine himself to the question under consideration.

The Speaker, when duly addressed by a member, shall hear from the member who, in the Speaker's opinion, shall arise first, by identifying the member. The Reading Clerk shall not turn on any member's microphone until the Speaker has recognized that person.

**3.7** No employee of the House shall personally interest or concern himself with the passage or consideration of any measure whatsoever. If any employee does so, it shall be grounds for summary dismissal. While within the House Chamber during session, no one may personally, or in an official or representative capacity, concern himself with the passage or consideration of any measure whatsoever, except sitting members of the General Assembly and House staff in the usual and ordinary performance of their duties as an employee of the House. The Speaker may require immediate removal from the House Chamber of any person, who violates the provisions of this rule.

**3.8** No member shall speak more than twice on the same question without leave of the House, except merely to explain his meaning, even if the debate on the question should be continued for many days. In the case of a matter requiring more than one reading, this limitation applies separately to each reading, *provided*, however, notwithstanding that a matter may move from the uncontested to contested Calendar or vice versa within the same reading, the limitation applies to the entire reading. If a member has the floor and is addressing the body, he shall not lose the floor by asking a question of any member of the body.

**3.9** If any member shall be absent without leave and a quorum is not present, the Speaker shall instruct the Sergeant at Arms or appoint other authorized persons to send for such member or members and take them into custody. The outer doors to the Chamber shall be closed. The Speaker shall order that security personnel shall be posted at the outer doors of the Chamber and no member shall be permitted to leave the second floor of the State House without written leave of the Speaker. The Speaker may also order that security personnel be posted at all entrances to the State House to prevent members from leaving without authorization. An absent member who is taken into custody after the invocation of this rule shall pay for all reasonable expenses incurred which shall include mileage at the prevailing rate for state employees. In addition, such absent member who is taken into custody shall forfeit

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his entitlement to subsistence and mileage for that legislative day and shall be subject to any additional penalties the Speaker deems necessary. Should a quorum be present and ten members request, such absent member or members shall be sent for as herein provided and subjected to the same penalties. The Speaker shall strictly enforce the provisions of this rule. *Provided*, however, in the case of a member not being present when Rule 3.9 is invoked and such member voluntarily returns without being taken into custody, he shall not be subject to the penalties of this section. The invocation of this rule may be rescinded by a majority vote of those present and voting.

**3.10** As soon as practicable, after the House has been organized, the seats of the members shall be allotted as follows:

The Clerk shall prepare a ballot for each county with only its name printed on it. These shall be put in a closed box. The Speaker shall then direct a person or persons to draw them out, one by one. As each ballot is drawn, the delegation from that county shall select their seats, in accordance with the county in which the member resides. In the event a member's district consists of more than one county, the member may elect to be seated with the delegation the member desires, provided the member indicates the preference to the Clerk of the House prior to balloting. No delegation may select more than one seat on the main aisle.

**3.11** As soon as practicable, after the House has been organized, office space of members must be allotted as follows:

Each member shall choose an office in the Blatt Building on the basis of their seniority in the House in accordance with a floor plan prepared by the House Operations and Management Committee with the consent of the Speaker. A member who has served in the immediately preceding session shall have first preference on retention of his previously assigned office. The House Operations and Management Committee is authorized to make necessary adjustments in the assignment of office space with the consent of the Speaker when available space cannot be reasonably adjusted to conform with the county selections made pursuant to this subsection.

The provisions of this rule do not apply to office space for the Speaker, Speaker *Pro Tempore*, Chairman of the Rules Committee, Chairman of the Invitations and Memorial Resolutions Committee, Chairman of the Interstate Cooperation Committee and Chairmen of any other standing study committees or any other caucus having assigned space in the Blatt Building.

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**3.12** Members and employees of the House, other than pages, shall observe appropriate and dignified attire which means coat, trousers, shirt and tie for males and dress, skirt, slacks and blouse, or pants suits for females, unless otherwise excused by the Speaker in his sole discretion.

**3.13** Each legislative caucus occupying office space in the Blatt Office Building may pay to the Clerk of the House of Representatives an amount, determined by the Clerk, for the use of office space by each caucus. Each caucus may also pay an amount for use of state-owned office related equipment including, but not limited to, copying services, computer equipment, and software and related connection charges for internet access and telephone equipment and service. Each legislative caucus may make payment for equipment and services in the manner to be determined by the Clerk.

### Rule 4

#### Committees

**4.1** Committee appointments: see Rule 1.9.

**4.2** As soon as practicable after the members have been sworn in and have taken their seats, the following Standing Committees, except the House of Representatives Legislative Ethics Committee, and the House of Representatives Committee on Operations and Management, shall be appointed with the indicated number of members appointed thereto:

1. Committee on Ways and Means – 25.
2. Committee on the Judiciary (Privileges and Elections) – 25.
3. Committee on Agriculture, Natural Resources and Environmental Affairs (Fish, Game, Forestry, State Parks, Rural Development, Environmental Affairs) – 18.
4. Committee on Education and Public Works (Education, Highways, State House and Grounds, Railroads, Aviation) – 18.

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5. Committee on Medical, Military, Public and Municipal Affairs (Medical Affairs, Social Security, Penitentiary, State Hospital, Police Regulations, Military Affairs, Veteran's Affairs) – 18.

6. Committee on Labor, Commerce and Industry (Labor, Commerce and Manufacturing, Banking and Insurance, Merchants and Mercantile Affairs) – 18.

7. Committee on Rules – 15.

8. Committee on Interstate Cooperation (membership limited to 5, under 1976 Code, Sec. 1-17-30) – 5.

9. House of Representatives Legislative Ethics Committee – 10.

10. Committee on Invitations and Memorial Resolutions (Invitations, Resolutions memorializing the Federal or State Government or any official or agency thereof, sympathy, and congratulatory Resolutions) – 5.

11. Committee on Operations and Management of the House of Representatives (Advisory to the Speaker on personnel, administration and management of facilities, including management of the Blatt Building) – 7.

Each member shall serve on one and only one of the first six Standing Committees listed above. However, a member of these Committees may also serve on any one of the following Committees: Committee on Rules, Committee on Interstate Cooperation, Committee on Ethics, Committee on Invitations, or Committee on Operations and Management of the House of Representatives. The Speaker, Speaker *Pro Tempore*, and Clerk shall serve as *ex officio* members of the Committee on Operations and Management of the House of Representatives but no chairman of any other standing committee shall serve as a member of such committee.

*Provided*, that the members of the Committee on Operations and Management of the House of Representatives (advisory to the Speaker on personnel, administration and management of facilities), and the members of the House of Representatives Legislative Ethics Committee, shall be elected by the members of the South Carolina House of

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Representatives, their terms to be coterminous with their respective term of office.

*Provided*, that the Committee on Education and Public Works shall be deemed to be the Committee on Education, and the Committee on Medical, Military, Public and Municipal Affairs shall be deemed to be the Committee on Military Affairs and the Committee on Medical Affairs, in all cases where the statutes provide for the Chairman of these committees to perform *ex officio* duties.

*Provided*, that the Committee on Operations and Management of the House of Representatives with the consent of the Speaker may formulate such policies as it deems advisable relating to House personnel. Such policies shall be distributed to the members and must be adopted by majority vote of the House by House Resolution.

*Provided*, that except as herein provided neither the Speaker nor Speaker *Pro Tempore* shall be a member of any of the foregoing Standing Committees.

No member shall be appointed on a committee before he has been sworn in and has taken his seat. Any member who is sworn in after the general announcement of the committee shall, within a few days afterward, be placed by the Speaker on a Standing Committee whose number of members will not thereby be extended beyond the number provided in these rules.

After a committee has been appointed, no addition to it or change shall be made, except to fill a vacancy or to remove a member for conduct unbecoming a member.

*Provided*, that in filling a vacancy, the assignment of any member may be changed from another committee to fill such vacancy.

**4.3** Unless otherwise ordered, committees shall have jurisdiction only over matters pertaining to the subjects indicated by the names of the respective committees, and to the subject matter indicated in parenthesis following the names.

**4.4** Committees shall meet regularly to consider pending legislation in the room assigned for their use by the Speaker. Notice of date, time, and place of such meetings shall be posted on a bulletin board provided for this purpose in the lobby. Whenever feasible twenty-four hour advance notice shall be given for all committee meetings. Such notice shall be mailed to the members by the committee chairmen when the House is not in session. Notice of regular and special meetings shall also be given by the administrative assistants to each member of the

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committees and to the Sergeant at Arms in the manner the committee deems proper. Information as to subcommittee meetings shall be provided by the administrative assistants to the Sergeant at Arms and shall be available at the Sergeant at Arms' desk. Failure of notice of any meeting shall not invalidate committee action unless bad faith is shown. No committee shall meet while the House is in session without special leave by the Speaker. *Provided*, however, that the Committee on Rules and any committee of conference or free conference, may sit at any time and may report its message to the House at any time.

No committee shall sit unless a quorum be present and all bills introduced by committees must carry the statement of the Chairman that the bill has the approval of two-thirds of the membership of the committee, except that the State Appropriations Bill, the Supplemental Appropriations Bill, a Rescission Bill, and the Deficiency Appropriations Bill may be introduced by a majority vote of the Ways and Means Committee.

No committee shall introduce a bill pertaining to subject matter over which it has no jurisdiction.

Notice in writing of all public hearings shall be given by Committee Chairmen to the Clerk of the House at least five calendar days prior to the date fixed for the hearing, such notice to be published in the House Calendar. Notice in writing of all committee action taken on a bill or resolution shall be given to the principal author thereof.

No statewide bill directly appropriating money shall be considered by the House until after such bill has been referred to the Ways and Means Committee, *provided*, however, a statewide bill which directly or by implication provides for *per diem*, subsistence or mileage in connection with the subject matter of the bill, but does not otherwise directly appropriate money, shall not be required to be referred to the Ways and Means Committee.

After the House sets a bill for Special Order pursuant to Rule 6.3, no point of order may be raised regarding its reference to committee, however, the House by majority vote may commit or recommit a bill or other matter under debate.

No committee action shall be taken on a bill or resolution except at a regular or called meeting, but this shall not apply to resolutions referred to the Committee on Invitations and Memorial Resolutions.

When any standing committee or subcommittee schedules a public hearing on a bill or resolution, the principal sponsor of such bill or resolution shall be notified of the time and place of such hearing not less than five calendar days prior to the hearing date.

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**4.5** All meetings of all committees shall be open to the public at all times, subject always to the power and authority of the Chairman to maintain order and decorum with the right to go into Executive Session as provided for in the South Carolina Freedom of Information Act, Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended. *Provided*, a legislative caucus as defined by Section 2-17-10 of the 1976 Code of Laws of South Carolina, as amended, and its meetings are not subject to the provisions of Title 30, Chapter 4 of the 1976 Code of Laws of South Carolina, as amended.

No committee shall file a report unless the committee has met formally at an authorized time and place with a quorum present. All standing committees of the House shall prepare and make available for public inspection, in compliance with Section 30-4-90 of the 1976 Code of Laws of South Carolina, as amended, the minutes of full committee meetings. Such minutes need not be verbatim accounts of such meetings but shall include those matters required by the above mentioned Freedom of Information Act.

**4.6** After twenty days from the date of reference, the Chairman of the Committee in possession of a measure shall, upon written request of a sponsor or, in the case of a Senate measure, a House member, set a time for consideration of the measure by the full committee or subcommittee which shall be no later than seven legislative working days thereafter. *Provided*, however, that a member may request consideration of a bill or resolution pursuant to this rule only one time per bill or resolution during a legislative session.

**4.7** a. Each report of a committee shall contain the action of the committee on the bill or other measure being transmitted. Such report shall certify the action by the committee and shall be signed by an officer of the committee.

b. When reporting a Senate bill as favorable, the committee may include in its report an amendment identical to the final version of any House bill that has been referred to that committee and passed by the House during the current two-year session. If the amendment is identical to a previously passed House bill, the amendment must be considered germane to the bill.

**4.8** Any bill, report, petition, or other paper except an amendment which may come before the House, may be committed or recommitted before a final decision thereon. *Provided*, further that the Speaker may,

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in his discretion, commit to a committee any bill, joint resolution, or concurrent resolution returned from the Senate with an amendment that has so materially changed the bill that the bill's contents, as amended by the Senate, are no longer substantially germane to the bill, joint resolution, or concurrent resolution as it passed the House. Such bill, joint resolution, or concurrent resolution may be reported out of the committee with its recommendation and shall be placed on the Calendar under the heading of second reading or concurrent resolution. If not amended, it shall be enrolled as an act and ratified. If said bill, joint resolution, or concurrent resolution shall be amended, it shall be returned to the Senate at the conclusion of the process as a House amendment.

**4.9** In all cases the House may resolve itself into a Committee of the Whole. The motion to resolve the House into a Committee of the Whole shall specify the subject(s) to be considered in the Committee of the Whole. In the event the House resolves itself into a Committee of the Whole, the Committee of the Whole shall limit discussion to the subject(s) specified in the motion. The Speaker shall leave the Chair after appointing a Chairman to preside, who shall, in case of disturbance or disorderly conduct, have the power to cause same to be cleared. No bill or resolution may be considered by the Committee of the Whole House, except by a two-thirds vote, unless same has first been considered by the appropriate Standing Committee of the House.

**4.10** The Committee of the Whole shall consist of the entire body of members in attendance at the particular meeting of the House. Such committee is a real committee in the parliamentary sense. During the time that a meeting of the Committee of the Whole is held, it is technically not 'the assembly'.

**4.11** The Rules of the House so far as they are applicable shall be observed in a Committee of the Whole, the Chairman being substituted for the Speaker.

**4.12** No Committee of the Whole or other committee shall deface or interline a bill or other paper, referred to it, but shall report any amendments recommended on a separate paper, noting the page and line.

**4.13** No person shall be permitted to address the House or the Joint Assembly except by written resolution, and such resolution shall be referred to the Committee on Invitations and Memorial Resolutions

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before being considered by the House. The Committee shall not extend an invitation to any individual or group to address the House or the Joint Assembly unless such person or group is of significant national or state prominence at the time the invitation is extended and will bring a message of major importance to the State or such individual or group will present an artistic performance during the established hours of meeting.

Any invitations extended to the House as a whole to attend any functions shall be submitted to the Committee on Invitations and Memorial Resolutions at least 10 days in advance in order that it may determine what legislation or other pertinent matters may be pending before the House and its Committees before the invitation is accepted. The House shall accept no invitations to any functions other than a breakfast or luncheon prior to 6:00 p.m. Pages are not permitted to attend such functions. No invitations to functions for the House as a whole will be accepted during the week anticipated for the debate of the State Appropriations Bill.

**4.14** No member of a committee shall be allowed under any circumstances to vote by proxy.

**4.15** None of the House Rules shall be rescinded, suspended, or altered, except by written resolution which has been referred to the Rules Committee, or originates therein, and agreed to by two-thirds of the members of the House present after the committee has made its report. *Provided*, that any rule may be amended by a simple majority of the House during the month of January of each year.

**4.16 a.** The House of Representatives Legislative Ethics Committee consists of ten (10) members. The ten members of the House of Representatives Legislative Ethics Committee shall be elected by the members of the House. Five members of the committee shall be members of the majority party represented in the House of Representatives and five members shall be members of the minority party represented in the House of Representatives or be nonaffiliated with any party or another party not in the majority. The Chairman of the Ethics Committee shall be one of the five members of the committee from the majority party represented in the House to be elected by the members of the committee. Other officers of the committee are not required to be affiliated with a particular party and shall be elected by members of the committee as well.

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The committee has the following powers and duties:

(1)(a) to receive complaints or charges concerning conduct alleged to be unethical from any citizen of this State or member of the House against:

- (i) House members;
- (ii) former House members, provided the allegations are related to the former member's service in the House;
- (iii) candidates for the House;
- (iv) former candidates for the House, provided the allegations are related to the former candidate's bid for the House;
- (v) officers and employees of the House;
- (vi) staff and independent contractors of a House legislative caucus committee.

Only sworn written complaints or charges may be considered;

(b) to file a complaint upon concurrence of at least four members of the House Ethics Committee when alleged violations are identified;

(c) for purposes of this Rule, unethical conduct may include, but is not limited to, a:

- (i) violation of Chapter 13, Title 8;
- (ii) violation of Chapter 17, Title 2; or
- (iii) breach of this Rule by a person designated in a.(1)(a) above or as designated by statute;

(2) to investigate these complaints and charges and, if warranted, to report the results of these investigations to the House with recommendations for further appropriate action as authorized by law;

(3) upon request of any member, officer, or employee of the House to render advisory opinions with regard to legislative ethics when, in their judgment, these opinions would serve the public interest, and to act as an advisory body to the House and to individual members of or candidates for the House on questions pertaining to the disclosure and filing requirements;

(4) to make available annually to the House a compilation of the principles provided in advisory opinions rendered;

(5) to administer or recommend appropriate sanctions or dismiss charges;

(6) to ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13, Title 8 and promptly notify the person to file the necessary notices and reports to satisfy the requirements; and

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(7) to recommend a rule or statutory change relating to ethics as the committee deems appropriate.

b. All papers, documents, complaints, charges, requests for advisory opinions, and any other material required to be filed with or received by the committee are strictly confidential prior to a finding of probable cause, or a waiver of confidentiality by the respondent. No persons involved with a complaint before the committee, including complainant, respondent, counsel, counsel's secretaries, committee members and staff, and investigators shall mention the existence of any proceeding nor disclose any information pertaining to it, unless otherwise permitted by the Rules. Disclosure of confidential information must be punished in a manner provided by the Ethics, Government Accountability, and Campaign Reform Act. If the House Ethics Committee finds that a person has violated the provisions of this subsection, it must report its findings to the Attorney General.

c. Information that must be made public following a finding of probable cause or waiver of confidentiality by the respondent is:

- (1) the complaint;
- (2) the response by the respondent;
- (3) any exhibits introduced at a public hearing, subject to redaction of information of a personal nature when public disclosure would constitute unreasonable invasion of personal privacy; and
- (4) the final order issued by the committee.

d. All investigations, inquiries, hearings and accompanying documents must remain strictly confidential until a finding of probable cause, unless the respondent waives the right to confidentiality.

(1) A certified copy of the sworn statement of charges against the respondent must be given to him or her within ten days of the time the statement of charges is received by the Chairman of the Ethics Committee. The respondent has the right to file a response to the complaint within fifteen calendar days after receipt of the complaint and to face and cross examine his accusers and the witnesses against him at any hearing called by the Ethics Committee. All hearings following a finding of probable cause must be conducted in open session. The Ethics Committee must call a hearing if a majority of the membership of the Ethics Committee feels that the charges have merit or if the respondent formally requests a hearing.

(2) No complaint may be accepted by the Ethics Committee concerning a member of or candidate for the House during the fifty-day period before an election in which the member or candidate is participating. During this fifty-day time period, a person may petition

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the court of common pleas alleging the violations complained of pursuant to the provisions of Section 8-13-530. Action on a complaint filed against a member or candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the Ethics Committee at least thirty days before the election must be postponed until after the election.

(3) If the Ethics Committee determines the complaint does not allege facts sufficient to constitute a violation, the complaint must be dismissed and the complainant and respondent notified. If the Ethics Committee finds that the complaining party wilfully filed a groundless complaint, the finding must be reported to the Attorney General. If the Ethics Committee determines the complaint alleges facts sufficient to constitute a violation, it shall promptly investigate the alleged violation and may compel by subpoena the attendance and testimony of witnesses and the production of pertinent books and papers. The subpoena must be signed by the Chairman of the House Ethics Committee.

(4) No complaint shall be accepted which is filed later than four years after the violation is alleged to have occurred.

e. All ethics committee investigations and records relating to the preliminary investigation are confidential unless otherwise permitted by the Rules.

(1) If the Ethics Committee finds that probable cause exists to support an alleged violation after a preliminary investigation, as appropriate, it shall:

(a) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or

(b) convene a formal hearing on the matter.

(2) If the Ethics Committee renders an advisory opinion and the respondent fails to comply, the committee must convene a formal hearing on the matter within thirty days of the respondent's failure to comply.

(3) If a hearing is to be held, the respondent must be allowed to examine and make copies of all evidence in the Ethics Committee's possession relating to the charges. The Committee must establish procedures which afford respondents appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross examine opposing witnesses. All hearings must be conducted in open session.

(4) After the hearing, the Ethics Committee shall determine its findings of fact. If the Committee, based on competent and substantial

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evidence, finds the respondent has violated Chapter 13, Title 8, or Chapter 17, Title 2, or violated this Rule, it shall:

- (a) administer a public reprimand;
- (b) require the respondent to pay a civil penalty not to exceed two thousand dollars for each nontechnical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;
- (c) require the forfeiture of gifts, receipts, or profits, or the value of them, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;
- (d) recommend expulsion of the member;
- (e) in the case of an alleged criminal violation, refer the matter to the Attorney General for investigation; or
- (f) require a combination of subitems (a) through (e), as necessary and appropriate.

If the Ethics Committee finds the respondent has not violated a statutory provision or Rule or engaged in unethical behavior, it shall dismiss the charges.

(5) The Ethics Committee shall report its findings in writing to the Speaker of the House. If the Committee finds a violation of a statutory provision or Rule or finds unethical behavior, the report must be accompanied by an order of punishment that is supported and signed by a majority of the Ethics Committee members.

(6) The respondent has ten calendar days from the date of the notification of the Ethics Committee's action to appeal the action to the full House.

(7) No Ethics Committee member may participate in any matter in which he is involved as a respondent.

(8) Upon receipt of a recommendation of expulsion or an appeal from an order of the Ethics Committee, the Speaker of the House shall call the House into open session at a time to be determined at his discretion to consider the action of the Ethics Committee. The House shall either sustain or overrule the Ethics Committee's action or order other action consistent with these Rules as otherwise permitted by statute. The consideration and results of a House Ethics Committee report are a matter of public record.

(9) No member may vote on the question of his expulsion from the House.

(10) Failure to fully comply with a final ethics order is a separate violation that may be considered by the Ethics Committee.

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f. If the House Ethics Committee finds the respondent has failed to file or was late in filing a required statement of economic interest or campaign disclosure report, the House Ethics Committee must order the respondent to pay a fine according to the provisions in Section 8-13-1510.

g. The House Ethics Committee may, in its discretion, determine that errors or omissions on statements of economic interests and campaign disclosure reports are inadvertent and unintentional and not an effort to violate a requirement of Chapter 13, Title 8 and may be handled as technical violations not subject to the provisions of Chapter 13, Title 8 pertaining to ethical violations. The House Ethics Committee may assess a penalty for technical violations not exceeding fifty dollars.

h. The Speaker of the House, and the House Ethics Committee on behalf of the entire House, may receive:

(1) certified copies of any indictment or information for a felony or offense against the election laws filed or returned against any member of the House;

(2) certified copies of any plea of guilty or nolo contendere to the felony entered by any member of the House;

(3) certified copies of any conviction of a member for a felony;  
and

(4) certified copies of any opinion, order, or judgment of any court, state or federal, trial or appellate, relating to any of the aforementioned matters.

**4.17** The Standing Committees may order to be printed for their use such papers as shall be referred to them.

**4.18** The House shall not resolve itself into Executive Session except under those circumstances permitted by the laws of this State, and then only upon a vote of two-thirds of the membership present and voting, a quorum being present. Upon resolving itself into Executive Session, the Halls of the House shall be cleared of all persons except the members of the House, the Clerk of the House and the Sergeant at Arms.

No action shall be taken which violates the Statutory Law of this State and when such action is permissible it shall only be taken upon a two-thirds vote of the membership present and voting, a quorum being present.

**4.19** When a bill or resolution is reported out of a standing committee of the House of Representatives, a summary of the bill or

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resolution prepared by the staff of that committee, if such summary is available, may be made available to the members electronically. Each summary prepared by staff shall have the following language printed in bold capital letters at the top of the summary: 'THE BELOW CONSTITUTED SUMMARY IS PREPARED BY THE STAFF OF THE SOUTH CAROLINA HOUSE OF REPRESENTATIVES AND IS NOT THE EXPRESSION OF THE LEGISLATION'S SPONSOR(S) OR THE HOUSE OF REPRESENTATIVES. IT IS STRICTLY FOR THE INTERNAL USE AND BENEFIT OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AND IS NOT TO BE CONSTRUED BY A COURT OF LAW AS AN EXPRESSION OF LEGISLATIVE INTENT'.

### **Rule 5**

#### **Bills, Resolutions, and Reports**

**5.1** No notice shall be required of a member of his intention to introduce a bill or resolution. Any member may introduce bills or resolutions which shall be received by the House staff whether or not the House is in session. Bills and resolutions so received shall be periodically referred by the Speaker of the House to the appropriate committee or committees which may then consider them at such times as the committee meets. Any matter acted upon favorably by any committee may be reported out by the committee when the House reconvenes and need not thereafter be sent to any committee but shall then be ready, upon compliance with other Rules of the House, for second reading consideration; *provided*, however, that bills appropriating revenue shall be referred to the Ways and Means Committee. *Provided*, further, that bills and resolutions creating study committees shall first be referred to the appropriate standing committee having jurisdiction of the subject matter of the bill or resolution. The Clerk of the House shall establish procedures to notify the House membership on a monthly basis of bills and resolutions introduced during periods when the Journal is not printed.

All bills received prior to the first day of the convening or reconvening of the General Assembly shall receive first reading on the first day of the session.

In those years in which all seats of the House are up for election, no bill shall be received for prefiling between the dates of adjournment *sine*

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*die* and the date of completion of the Organizational Session of the House.

When the House of Representatives is not in session and bills are being prefiled and assigned to committees, any member who wishes to have their name added as a sponsor of a bill may do so by notifying the Clerk of the House in writing. The Clerk shall then notify the Chairman of the committee to which the bill has been assigned and their name shall be added. If a member wishes to sponsor a bill individually then they shall so indicate on the face of the bill and no additional sponsors shall be allowed.

**5.2** Every bill before presentation shall have its title endorsed; every report, its title at length; every petition, memorial, or other paper, its prayer or substance; and, in every instance, the name of the member presenting any paper shall be endorsed and the papers shall be presented by the member to the Speaker at the desk. A member may add his name to a bill or resolution or a co-sponsor of a bill or resolution may remove his name at any time prior to the bill or resolution receiving passage on second reading. The member or co-sponsor shall notify the Clerk of the House in writing of his desire to have his name added or removed from the bill or resolution. The Clerk of the House shall print the member's or co-sponsor's written notification in the House Journal. The removal or addition of a name does not apply to a bill or resolution sponsored by a committee.

And every bill or joint resolution which shall propose the amendment or repeal of any Section, Chapter, or Title of the General Statutes or of any Act of Assembly or joint resolution, shall, in its title express the subject matter of such section, chapter, title, act, or joint resolution so sought to be amended or repealed. If this is not complied with, the paper shall not be received by the Speaker and objection may be raised by any member to such improper introduction at any time prior to third reading that the bill or resolution is being considered by the House.

Every bill or joint resolution proposing to amend any section or clearly identifiable subdivision or portion of a section of any chapter of the General Statutes or of any Act of Assembly or joint resolution shall give the full text of the Section or clearly identifiable subdivision or portion of a Section as it would read with such amendment inserted therein. And if this latter clause of this rule is not complied with, the bill or joint resolution shall be amended so as to conform to this rule before it be considered by the House. Any member may require such

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amendment at any time a bill or resolution not in conformance herewith is being considered by the House.

**5.3 General Appropriations Bill and Supplemental Appropriations Bill**

A. Certificate: Every General Appropriations Bill and Supplemental Appropriations Bill for the ordinary expenses of State Government before presentation shall have attached thereto a certificate from the Budget Division of the State Budget and Control Board stating that the total of the appropriations therein provided for is not in excess of the estimated total revenue of the State for such purposes, including that revenue which may be provided for in the bill, or in any other bill previously passed by the House for the fiscal year to which the bill is applicable, and an Appropriations Bill without such certificate shall not be read the first time in the House, but shall be returned to the Committee on Ways and Means by the Speaker. After passage on second reading and before its consideration on third reading, every General Appropriations Bill, and every Supplemental Appropriations Bill shall have attached thereto a certificate from the Budget Division of the State Budget and Control Board that the total of the appropriations therein provided is not in excess of the estimated total revenue of the State for such purposes, including that revenue which may be provided in the bill, or in any other bill previously passed by the House for the fiscal year to which the bill is applicable, and if the Budget Division cannot give such certificate, the Speaker shall order the bill recommitted to the Ways and Means Committee.

B. Germaneness and Amendments: The General Appropriations Bill and Supplemental Appropriations Bills may include both temporary and permanent provisions of law. The substantial effect of all temporary provisions of law and amendments thereto must be directly germane to the appropriation of funds, affecting revenue, or be rules, regulations, directives, or procedures relative to the appropriation of funds or affecting revenue for the fiscal year referred to in the bill. The substantial effect of all permanent provisions of law and amendments thereto must be directly related to and expressly germane to the purpose of an appropriation being made or revenue provided therein for the fiscal year referred to in the bill. An amendment which has the effect of appropriating funds in excess of five million dollars during the fiscal year stated within the bill shall include within the amendment the

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corresponding appropriation reduction(s) and/or revenue increase(s) within the same section that shall fully fund the amendment's proposed appropriation(s) or have attached to it in writing an explanation of the specific appropriation reduction(s) and/or revenue increase(s) from the different section(s) that shall fully fund the amendment's proposed appropriation(s). The provisions of this paragraph shall be narrowly and strictly construed with regard to all provisions of and amendments to the General Appropriations Bill and Supplemental Appropriations Bills.

C. Report of Conference of Committee: The following requirement applies to the report of the Conference Committee on the Annual Appropriations Bill: Any provision offered for inclusion in the Annual Appropriations Bill which increases or decreases the most recent official projection of general fund revenues of the Board of Economic Advisors may not be included in the bill or recommendation unless the revenue impact is certified by the Board of Economic Advisors. Changes to the official general fund revenue estimate as a result of such provisions may not exceed amounts certified by the Board of Economic Advisors. This requirement is in addition to other provisions of law regarding fiscal impact statements.

D. Format of Appropriations Bill: All State Appropriations Bills must be printed at the following stages in their passage so that:

1. The House Ways and Means Committee version of the Appropriations Bill must include the amounts recommended by the Ways and Means Committee.

2. The House version of the Appropriations Bill must include the amounts recommended by the Ways and Means Committee and the amounts passed by the House.

3. The Report of Conference or Free Conference Committee must include the amounts passed by the House, the amounts passed by the Senate, and the amounts agreed upon by the Conference Committee.

4. The Appropriations Act must include total funds approved for the next fiscal year and a listing of appropriations from the General Fund.

5. *Provided*, further, that:

a. the full salary of the principal officer of each department, agency, or institution shall be set forth as an item distinct and apart;

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b. minor budget classifications or other descriptive terminology may be used when necessary to better express the purpose of the appropriation;

c. where the major portion of the operating funds to any department, institution, or principal operational division thereof is derived from Federal or other nonappropriated funds, the total appropriation for each major budget classification may be shown, and the relative contributions of State and nonappropriated funds therefor shall be shown as completely as possible; and

d. the appropriations must be in conformity with the program budget format as adopted by the Ways and Means Committee.

E. Any bill or resolution considered by the House of Representatives, upon second reading, that raises revenue must conform to the provisions of Article III, Section 15 of the South Carolina Constitution.

F. Earmark Projects and Programs: For purposes of this section:

1. 'Appropriations bill' means the annual general appropriations bill, a supplemental appropriations bill, the joint resolution appropriating revenues of the capital reserve fund, a bill appropriating contingency reserve fund revenues, bond bills, or any other bill appropriating state revenues while under consideration by the House Ways and Means Committee or Senate Finance Committee or any subcommittee of it and any free conference committee on an appropriations bill. For purposes of this definition, a bill includes a joint resolution.

2. 'Earmark project or program' means:

a. an appropriation for a specific program or project not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year;

b. an appropriations bill proviso directing the expenditure of funds appropriated to an agency for a purpose not originating with a written agency budget request or not included in an appropriations act from the prior fiscal year.

3. Each request for an earmark project or program included in an appropriations bill must be memorialized in writing on a form designed by the chairman of the House Ways and Means Committee. The form must include the member's name who requested the earmark project or

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program, an explanation of the earmark project or program requested, and such other information as the form may require. The form must be filed with the House Ways and Means Committee.

4. Each request for an earmark project or program included in the House Ways and Means Committee version of an appropriations bill must be listed on a separate document prepared by the appropriate committee and placed on the members' desks before beginning debate of the appropriations bill on second reading. The document must include the members' name requesting the earmark project or program, a brief description of the earmark project or program request, and such other information as the form may require and must be posted on the General Assembly's web site.

5. An earmark project or program request made while an appropriations bill is in the Senate and is included in the report of a committee of conference must be listed on a separate document, similar to the form described in item 4., and placed on the members' desks before beginning debate of the report of the committee of conference. The chairman of the House Ways and Means Committee is charged with providing this form to the House membership.

6. An earmark project or program request made while an appropriations bill is in a committee of free conference must be listed on a separate document, similar to the form described in item 4., and placed on the members' desks before beginning debate of the report of the committee of free conference. The chairman of the House Ways and Means Committee is charged with providing this form to the House membership.

7. If the provisions of this subsection are not followed in reference to an individual earmark project or program, a two-thirds vote of the membership present and voting is required to include the earmark project or program in the appropriations bill or the report of the committee of conference or free conference.

G. The Annual General Appropriations Bill must be considered section-by-section on second reading, and when the pending question is the adoption of an individual section, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal except when the House agrees to a section by unanimous consent.

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**5.4** No bill or amendment providing an appropriation to pay a private claim against this State or a department thereof shall be introduced or considered.

**5.5** No bill or joint resolution shall be introduced as a delegation bill or resolution unless such bill or resolution relates only to local matters concerning the county which such delegation represents.

**5.6** Except as provided in subsection 5.1, the first reading of the bill shall be by title only. No amendments shall then be in order and the bill shall be referred to some committee, unless the House unanimously agrees, without debate, to dispense with reference.

**5.7** Upon the second reading of a bill, after all amendments and motions have been disposed of, the question shall be the passage of the bill. Upon a decision in the affirmative, the order shall be made accordingly and the bill shall take its place on the Calendar for third reading.

**5.8** At the third reading of a bill, the bill shall be read by its title only.

If the bill originated in the House, the question then shall be the passage of the bill. On a bill which originated in the Senate, if no amendment has been made by the House, the question shall be the passage of the bill and in the case of an affirmative vote, the title 'Bill' shall be changed to an 'Act' and the act shall be enrolled for ratification.

If the bill has been amended in the House, the question shall be the passage of the bill, as amended, and in the event of an affirmative vote, the bill, as amended, shall be returned to the Senate.

**5.9** All bills and resolutions reported by a committee shall, as a matter of course, be printed, together with the report of a committee. A bill or joint resolution shall be reprinted following its second reading, if amended by the House, reflecting the substance of the bill in its amended form. Every committee report which amends the provisions of legislation referred to such committee shall give the full text of the section or clearly identifiable subdivision or portion of a section as it would read with such amendment inserted therein. If this rule is not complied with, the committee report shall be amended so as to conform to this rule before the bill or joint resolution is considered by the House. This shall be the responsibility of the committee chairman.

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**5.10** No local bill or joint resolution shall receive a second reading unless its number and title shall have been printed in the House Calendar at least one day prior to such reading. *Provided*, that no statewide bill or joint resolution shall receive a second reading unless its number and title shall have been printed in the House Calendar at least one statewide legislative day prior to such reading unless said bill or resolution has been set for Special Order consideration as provided for by Rule 6.3(14)(b). *Provided*, further, no General Appropriations Bill or Supplemental Appropriations Bill for the ordinary expenses of the State Government shall receive a second reading unless printed copies of such Appropriations Bill shall have been laid on the desks of members at least three legislative days prior to second reading.

**5.11** Any bill, resolution, report, or other paper which has been under consideration, may, at the Speaker's discretion, be ordered to be printed for distribution to the members.

**5.12** No statewide bill or joint resolution, except an appropriations bill, general, supplemental, deficiency, or a joint resolution approving or disapproving regulations of a state agency shall be considered unless (1) such legislation is introduced in the House prior to April fifteenth of the second year of a two-year legislative session or (2) such legislation shall have been introduced in the Senate and received by May first in the House, unless in either event it was introduced in the previous year and was carried over to the year in which it is to be considered; *provided*, however, that nothing herein shall prevent a statewide bill or joint resolution from being received, given first reading, and referred to the appropriate committee. No such bill or joint resolution shall be placed on the Calendar for further consideration unless two-thirds of those members present and voting agree to waive the rule. Once voted on and rejected, no further vote shall be allowed to waive this rule.

The motion to waive this rule shall not be debatable, except that the mover shall have the right to make a three-minute explanation of his motion.

The provisions of this rule shall apply only to regular sessions of the General Assembly as opposed to special sessions of the General Assembly.

The Speaker shall enforce the deadlines provided by this rule and shall not allow consideration without putting the question of waiver before the House.

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**5.13** Each bill effecting the expenditures of money by the State shall, prior to receiving second reading, have attached to it in writing such comment of the appropriate state official or office as may appear appropriate regarding the bill's effect on the finances of the State. Each committee amendment that substantially changes a bill effecting expenditures of money by the State, prior to the bill receiving second reading, shall have attached to the committee amendment such comment of the appropriate state official or office as may appear appropriate regarding the committee amendment's effect on the finances of the State. *Provided*, however, this rule shall not be invoked where the amount is shown in the bill.

Committee chairmen shall satisfy these requirements of a fiscal impact statement prior to the bill receiving second reading.

**5.14** No report of a Committee on Conference or Free Conference, except on a *Sine Die* Resolution, the General Appropriations Bill, the Supplemental Appropriations Bill, the Capital Reserve Fund, or local matters, shall be considered until such report has been printed in the House Journal and explained by the conferees on the floor of the House.

**5.15** The printing of any document required to be printed under the Rules of the House may specifically be dispensed with by two-thirds vote of the membership present and voting of the House, a quorum being present; *provided*, such vote shall be by division vote; *provided*, however, the printing of any bill which has not been referred to committee shall not be waived.

**5.16** Should any member seek immediate consideration of any House or Concurrent Resolution, the resolution shall receive immediate consideration unless five members object. If immediate consideration of such resolution is not sought, or in the event five members do object where immediate consideration is sought, the resolution shall be referred to an appropriate committee and shall not be considered by the House until after the committee has made its report and at that time shall take its place on the Calendar. *Provided*, however, a House or Concurrent Resolution concerning *Sine Die* Adjournment under Article III, Section 21 of the South Carolina Constitution and Section 2-1-180 of the Code of Laws of South Carolina, 1976, shall receive immediate consideration, which shall include the motion to commit or recommit.

A House or Concurrent Resolution sponsored by a committee shall receive immediate consideration if so requested by a member unless five

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members object, in which case it shall take its place on the Calendar without the necessity of being referred to a committee. Such resolution shall be printed in the same manner as is prescribed in Rule 5.9 for the printing of bills.

*Provided*, however, the Clerk shall prepare forms for House Resolutions expressing the sympathy or congratulations of the members of the House. Any member wishing to sponsor such a resolution shall forward in writing on a form prepared by the Clerk information sufficient to prepare the resolution. The Speaker shall sign the resolution on behalf of the membership. Such resolutions shall not be read to the House or printed in the Journal except upon the request of ten members. The Speaker may refer any such resolution to the Committee on Invitations and Memorial Resolutions and, in such event, the resolutions must be approved by the committee or if the committee recommends, by the House.

**5.17 (A)** Upon the consideration of any statewide uncontested bill or joint resolution, an objection or request for debate by five (5) members at any time prevents the consideration of the statewide bill or resolution and it then must be placed upon the statewide contested Calendar and remain on it until one (1) or more objections or requests for debate are formally withdrawn from the floor, and if there are not further objections or requests for debate entered at that time so that the total number of outstanding cumulative objections or requests for debate is less than five (5) or more, the statewide bill or resolution shall then receive immediate consideration if there is any time remaining in the applicable period for that statewide day for that bill or resolution.

(B) Upon the consideration of any local uncontested bill or joint resolution, an objection or request for debate by three (3) members at any time prevents the consideration of the local bill or resolution and it then must be placed upon the local contested Calendar and remain on it until one (1) or more objections or requests for debate are formally withdrawn from the floor, and if there are not further objections or requests for debate entered at that time so that the total number of outstanding objections or requests for debate is less than three (3), the local bill or resolution shall then receive immediate consideration if there is any time remaining in the applicable period for that day for that local bill or resolution.

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**5.18** If any bill or resolution shall be recommitted to a committee or referred to another committee retaining its place on the Calendar, the same may be listed on the Calendar by number only until it is returned to the floor for debate or such action as may be appropriate.

Any bill, resolution, or report upon which debate has been adjourned may be listed on the Calendar by number only until the date for consideration has been reached.

**5.19 a.** No member shall speak more than twice on the main question of a bill or resolution being considered for any reading and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. No member shall speak more than twice upon an amendment or a motion to reconsider that is debatable and then not longer than ten minutes each time. However, if the previous question has been invoked, no member may speak more than twice on a motion to reconsider that is debatable and then not longer than the amount of time remaining for debate of the underlying motion; *provided*, that proposed amendments announced and introduced by the Reading Clerk shall be considered prior to a member speaking on the bill. No member shall speak more than twice on Senate amendments to a House bill and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. The House may, however, by consent of a majority of the members present and voting suspend the operation of this rule during any debate on any particular question before the House.

b. Subsection (a) of this rule shall be applicable on a section-by-section basis on debate upon the General Appropriations Bill, the Supplemental Appropriations Bill, or the bond bills but shall not apply to bills on reapportionment.

c. The question of granting Free Conference Powers shall require an affirmative vote of two-thirds of the membership of the House and is not debatable. No member shall speak more than twice on the question of adoption of a Conference or Free Conference Report and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. When the pending question is adoption of a Conference or Free Conference Report, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal. Furthermore, the question of adoption of a

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Conference or Free Conference Report is subject to the provisions of Rule 8.6.

**5.20** Notwithstanding the provisions of any other House Rule, no House or Concurrent Resolution memorializing the Congress of the United States, the President of the United States, or any state or federal department, agency, or official shall receive immediate consideration but shall be referred to the Committee on Invitations and Memorial Resolutions and shall remain in such committee unless three members of the committee vote to report the resolution out of committee. No such resolution may be recalled from committee.

### Rule 6

#### Daily Order of Business and Calendar

**6.1 a.** The House shall meet each legislative day at 12:00 Noon every Tuesday, 10:00 a.m. every Wednesday, and 10:00 a.m. every Thursday and Friday unless otherwise ordered by the House. *Provided*, that by motion made at any time the House by majority vote may fix the day and hour at which time the House shall next meet (not to exceed constitutional limitations) and this shall be decided without debate.

*Provided*, further, that during the first three weeks of the first year of a legislative session, unless a majority of the House members present object, on Wednesdays the House shall meet at 2:00 p.m. to provide time in the morning hours for committees to meet and hearings to be held.

*Provided*, further, that unless ordered otherwise, the House shall consider only local uncontested matters on Friday of each week.

b. The Speaker, in his sole discretion, is authorized to call the House of Representatives into statewide session for the exclusive purpose of the introduction and referral of bills and receipt and reading of communications and committee reports and to adjourn immediately thereafter with no roll to be taken. Any such action by the Speaker shall provide the specific date of the statewide session and shall provide that the House of Representatives must convene at 10:00 a.m. and adjourn not later than 10:30 a.m. on these days. *Provided*, that a statewide session held pursuant to this paragraph shall not be considered in calculating the provisions of Rules 5.10 and 9.1.

**6.2** All questions as to priority of business or as to the time when any matters shall be considered or ordered for consideration and as to a

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departure from the regular order of business shall be decided without debate.

**6.3** The following order of business shall be enforced every day by the Speaker, except that Special Orders as defined in subsection 14a of this rule shall be considered at the time and place set.

1. a. prayer;  
b. Pledge of Allegiance to the flag of the United States of America;
2. corrections to the Journal;
3. receipt of communications including messages from the Senate;
4. reports of committees including Conference and Free Conference;
5. first reading of House resolutions, concurrent resolutions, committee reports on resolutions, joint resolutions, and bills upon the desk;
6. call of the roll of the House;
7. a. consideration of local uncontested bills and joint resolutions on third reading;  
b. consideration of local uncontested bills and joint resolutions on second reading;
8. a. consideration of statewide uncontested bills and joint resolutions on third reading;  
b. consideration of statewide uncontested bills and joint resolutions on second reading;
9. withdrawal of objections and requests for debate;
10. consideration of pending motions to reconsider;
11. a. consideration of unanimous consent requests;  
b. consideration of vetoes;  
c. consideration of Senate amendments;

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d. consideration of local contested bills and joint resolutions on third reading;

12. consideration of statewide contested bills and joint resolutions on third reading in the order in which they appear on the Calendar;

13. a. motion period;

b. consideration of local contested bills and joint resolutions on second reading;

14. consideration of statewide contested bills and joint resolutions on second reading in the order in which they appear on the Calendar;

a. Notwithstanding the order of business set forth in Rule 6.3 a matter may be set for Special Order for consideration on a particular day at a particular hour or at a particular place on the Calendar.

b. Special orders may be set for appropriations bills and local bills by majority vote of the House. Special orders on all other bills on the Calendar shall be set only by written resolution, which has been referred to the Rules Committee or originates therein, and agreed to by two-thirds of the members of that committee and agreed to by majority of the members of the House present after the committee has made its report; *provided*, however, that notwithstanding the provisions of Rule 9 governing the amendability of bills and resolutions, no amendments may be offered to any Special Order resolution, which amendments do not pertain to the bill which is the subject of the Special Order resolution, except as to the time and date called for in such resolution.

*Provided*, that for the purpose of explaining any Special Order resolution the time limit for opponents shall not exceed five minutes and the time limit for proponents shall not exceed five minutes.

c. A Special Order set for a certain day and hour, not being considered by the House at the hour named, shall be transferred by the Clerk of the House to the Special Orders of the following day until disposed of, in the chronological order of original appointment.

Any member may insist upon a Special Order of the Day, or other Special Orders, until it be discharged.

d. The motion period provided for the daily order of business under Rule 6.3 shall be limited to ten minutes only.

*Provided*, however, that time consumed by roll call votes shall not be construed as part of time allotted to said motions period.

e. Consideration of uncontested local bills and joint resolutions on third and second readings as provided in subsection 7a

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and b of this rule shall be limited to a total of ten minutes only. Consideration of contested local bills and joint resolutions on second and third readings as provided in subsections 11b and 13b of this rule is limited to a total of ten minutes for second reading bills and joint resolutions and ten minutes for third reading bills and joint resolutions.

f. Consideration of uncontested statewide bills and joint resolutions on third and second readings as provided in subsection 8a and b of this rule shall be limited to a total of thirty minutes only.

g. No debate shall be allowed in the uncontested period, *provided*, however, the Speaker may recognize a proponent and opponent of any uncontested bill or joint resolution for a brief explanation of their position.

h. Consideration of unanimous consent requests as provided for in subsection 11 of this rule shall be limited to five minutes only. No unanimous consent requests except those unanimous consent requests dealing with the pending matter may be considered at any time other than during the time provided for in subsection 11 of this rule.

**6.4** A debate interrupted by a simple adjournment shall afterwards be resumed at the point of interruption as if debate had been formally adjourned. A matter interrupted by a call for the Orders of the Day shall, after the Orders have been disposed of, be resumed at the point of interruption before any other question.

**6.5** Messages may be received at any time while the door is open, except while a question is being put, or a ballot, or a *viva voce* vote is taken. A message shall be presented to the House by the Speaker when received, or afterwards, according to its nature, and the business in which the House is engaged, or its consideration may, on motion, be ordered by the House.

**6.6** In all particulars not determined by these rules, or by the laws of the Constitution of this State, or of the United States, the practice of this House shall conform to its previous usage, or be guided by parliamentary law as it may be collected from the best authorities, *Mason's Manual of Legislative Procedure* being the preferred parliamentary authority.

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**Rule 7**

**Voting**

**7.1** If, upon a question by acclamation, the Speaker doubts, or a division be called for, the House shall proceed with a division vote by voting on the electronic roll call board. If the electronic roll call board malfunctions, the Speaker shall proceed to call the division vote by voice vote. When division votes are made by use of the electronic roll call equipment, no individual votes shall be recorded. The Speaker shall state: ‘The pending question is..... (designating the matter to be voted upon)’. The Speaker shall then unlock the voting machine and announce that voting will proceed. He shall then sound the bell. Thirty seconds after the announcement of the commencement of the vote on the board, the Speaker shall then announce that voting is closed and shall lock the machine and instruct the Clerk to tabulate the vote on the electronic roll call board. The Speaker shall then announce the result of the vote.

**7.2** The House of Representatives shall take a roll call vote on second and on third reading when an amendment has been made on third reading for the following matters, whereupon the yeas and nays shall be ordered and shall be entered by name in the House Journal, the electronic roll call system shall be used, and the procedure provided for in Rule 7.3 shall be followed:

- (1) adoption of a Joint Resolution proposing an amendment to the Constitution of South Carolina;
- (2) adoption of legislation ratifying a proposed amendment to the Constitution of South Carolina;
- (3) adoption of a Bill or Joint Resolution establishing a fee or tax, raising an existing fee or tax, or reducing an existing fee or tax;
- (4) adoption of the Annual General Appropriations Bill and any individual section of it pursuant to Rule 5.3G;
- (5) adoption of a state or congressional reapportionment plan;
- (6) adoption of a Bill or Joint Resolution directly increasing or decreasing the salary, benefits, or retirement benefits of members of the General Assembly, elected officials of the Executive Branch, or members of the Judicial Branch;
- (7) adoption of a Bill or Joint Resolution amending the Ethics and Accountability Act or the Campaign Finance Act; and
- (8) adoption of a Conference or Free Conference Report pursuant to Rule 5.19c.

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Provided, the House of Representatives shall take a roll call vote and shall enter the yeas and nays in the House Journal for the following questions:

- (1) a question for which the Constitution of South Carolina requires the yeas and nays to be recorded;
- (2) an election by the General Assembly or the House of Representatives except where the election is declared by unanimous consent to be by declaration;
- (3) adoption of an amendment to the Annual General Appropriations Bill where the amendment directly effects the raising or spending of revenue in the amount of ten thousand dollars or more;
- (4) a question of overriding or sustaining an Act returned by the Governor with objections;
- (5) a question for which ten members of the House request a roll call vote; and
- (6) a question of concurrence, nonconcurrence, or adoption of amendments to bills or joint resolutions returned to the House with amendments by the Senate.

**7.3** a. When the House is ready to vote upon any question requiring the yeas and nays and the vote is to be taken by the electronic roll call system, the Speaker shall state: 'The pending question is..... (designating the matter to be voted upon)'. The Speaker shall then unlock the voting machine and announce: 'Roll call vote. Voting on the board'. He shall then sound the bell. Once the voting has begun, it shall not be interrupted, except for the purpose of questioning the validity of a member's vote before the result is announced.

b. Two minutes after the bell has been sounded, the Speaker shall ask the question: 'Have all members present voted?' After a pause, the Speaker shall then lock the machine and instruct the Clerk to tabulate the vote on the electronic roll call board. The Speaker shall then announce the result of the vote.

c. After the voting machine is locked, no member may change his vote and the votes of tardy members shall not be counted.

d. Subject to the provisions of Rule 2.10, the vote as electronically recorded on the roll of members shall not in any manner be altered or changed by any person.

e. No member shall vote for another member, nor shall any person not a member vote for a member. Any member who shall vote or attempt to vote for another member or a person not a member who

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shall vote or attempt to vote for a member may be punished in such manner as the House determines.

f. Any member or other person who wilfully tampers with or attempts to disarrange, deface, impair, or destroy in any manner whatsoever the electronic voting equipment or who destroys or changes the record of votes thereon shall be punished in such manner as the House determines.

*Provided*, however, the minimum penalty for violation of Rule 7.3 shall be a public reprimand.

g. The Speaker *Pro Tempore* or a member who has been appointed by the Speaker to preside may designate another member to cast his vote on any question while he is presiding in accordance with his instructions from the Chair.

h. A member recorded as voting while absent from the Chamber shall present to the presiding officer an affidavit attesting to this fact. Any member may also report to the presiding officer his knowledge that another member was recorded as voting while absent from the Chamber. If the affidavit of the member whose vote is in question is presented within forty-eight hours of the vote, the presiding officer shall adjust the vote totals to reflect the affidavit and order action on the question in accordance with the adjusted vote total. If the member filing the affidavit or any other member has knowledge of the identity of the person who voted for him while absent, he shall present this information to the presiding officer who shall refer it to the Ethics Committee for consideration of any recommendation of punishment in accordance with this rule.

i. Each member shall be issued one electronic card by the Sergeant at Arms to activate the voting console on his desk to operate the electronic voting system. That card may not be duplicated by the member nor may a duplicate be issued to a member. The card must not be left in the voting console at any time while the member is not within the outer doors of the Chamber. If a member loses his card, a replacement will be issued by the Sergeant at Arms at the member's expense. If a member is temporarily without his card while the House is in session, the Sergeant at Arms will provide a temporary card to that member at the member's request for that day only and that card may not be removed from the House Chamber.

**7.4** If the electronic roll call machine is declared by the Speaker of the House to be inoperative, the 'Yeas' and 'Nays' shall be taken by the Reading Clerk calling each member's name in alphabetical order and

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each member responding by answering simply: 'Yea' or 'Nay'. Each member who may be in the House when called may give his vote.

*Provided*, further, that when the electronic roll call system is being used to record votes, the doors shall not be closed and members shall be permitted to vote as *provided* in Rule 7.3.

**7.5** No member shall, under any circumstances, be permitted to vote after a decision shall have been announced by the Chair. After the decision of the question, a member absent may be permitted to record the vote he would have given if present, but such vote shall not affect the previous question.

**7.6** No member shall be permitted to explain his vote during a roll call, but may reduce his explanation to writing, in not more than 200 words, and upon filing said explanation with the Clerk, it shall be entered in the Journal.

**7.7** When the pending question is the passage of any bill or resolution on the contested Calendar on second reading, the yeas and nays shall be taken by roll call and the votes thereon shall be recorded in the Journal.

**7.8** A member of the House of Representatives may give his proxy to vote on matters before the full body to another member of the House of Representatives if that member is deployed by military order for federal military duty or state national guard duty to a combat zone for a period of more than twenty-one days during a legislative session. However, the member holding the proxy may not cast a vote for the deployed member unless the deployed member has specifically provided the voting member with written voting instructions, including, but not limited to, instruction transmitted by facsimile or electronic mail, with regard to the deployed member's position on the issue. The proxy on a particular question may be used upon unanimous consent of the members of the House present and voting provided the proxy vote does not change the outcome of the question.

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**Rule 8**

**Motions and Their Precedence**

**8.1** No motion shall be debated until it shall have been stated by the Speaker. Any motion, if requested by the Speaker, must be reduced to writing and delivered at the desk and read, before it shall be debated.

**8.2** The mover may withdraw any question or proposition before an amendment or decision, except after a demand for the yeas and nays and except after the previous question has been ordered.

**8.3** No dilatory motion or amendment shall be entertained by the Speaker, prior precedents to the contrary notwithstanding.

**8.4** A question before the House shall be suspended by:

1. a message;
2. a report or resolution of the Committees on Rules, Conference, Free Conference, or Invitations;
3. a question of order;
4. a question of privilege;
5. a question of taking recess;
6. any other incidental questions, such as of reading papers, dividing a question, withdrawing a motion, excusing a member from voting, or the like. *Provided*, further, the five first named may suspend even a speech; *provided*, that the fifth, if once negatived, shall not be received during the same speech without the consent of the member speaking.

**8.5** When a question is under debate only those motions herein below shall be received and notwithstanding the provisions of any other rule, none of such motions except the motion to adjourn or recede, a motion to continue, or a motion for the previous question shall be considered until the conclusion of such debate. Such motions shall require a simple majority vote unless otherwise specified herein:

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1. to adjourn or recede;
2. to continue;
3. to lay on the table;
4. for the previous question (fifty percent of those present and voting, a quorum being present, plus five when a member has the floor at the time the motion is made);
5. to adjourn the debate to a certain day;
6. to commit or recommit.

These motions shall have precedence in the order in which they are hereinabove arranged.

*Provided*, a motion to reconsider shall be received and noted while a speech is being made but notwithstanding the provisions of Rule 8.14, shall be considered immediately after disposal of the pending matter or pursuant to Rule 6.3, subparagraph 10, whichever shall come first.

**8.6** The previous question upon any matter may be invoked as follows:

Upon an affirmative vote on a motion for the previous question (fifty percent of those present and voting, a quorum being present, plus five, being required to interrupt debate and a simple majority vote at all other times), the amendments then upon the desk shall be considered, but no further amendments shall be allowed to be offered unless the amendment has at least two-thirds of the membership of the House as its sponsor. The proponents of an amendment shall be allowed an opportunity to make a short explanation of his amendment for a period not to exceed three minutes, then opponents to the amendment shall be permitted not more than three minutes to oppose the proposed amendment. Then two hours of debate shall be allowed on the bill, the time being equally divided between opponents and proponents with no person to speak more than ten minutes. *Provided*, that after the previous question has been invoked, the primary sponsor of an amendment may withdraw it with unanimous consent without making a motion to table it.

*Provided*, the previous question may be invoked on a motion to reconsider only when the matter to be reconsidered is debatable.

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*Provided*, a motion to adjourn debate shall be in order even though the previous question has been invoked.

*Provided*, further, any member who has been recognized by the Speaker and is speaking from the podium, is considered to be debating the issue and a call for the previous question, whether by the member or any other member, requires the necessary fifty percent of those present and voting plus five.

**8.7** A motion to recess may state the time for reconvening and in the absence of such time stated, reconvening shall be at the call of the Chair. The Speaker may at anytime order the House to stand at ease to be reconvened at the call of the Chair.

**8.8** (Reserved)

**8.9** When a motion is made during a motion period, the Speaker shall entertain but one motion at a time and there shall be no substitute motions considered. The same motion may be entertained consecutively during the motion period.

**8.10** Any member may without debate, call for the division of a question and the House may divide the question if the Speaker determines the question so distinct that, one being taken away, the rest may stand entirely on its own. *Provided*, however, that a bill may not be divided into separate parts.

**8.11 a.** The following motions shall be decided by simple majority unless otherwise specified and without debate after any short remarks the Speaker permits:

- to adjourn;
- to recede;
- to continue;
- to lay on the table;
- for the previous question (unless it is made when a member has the floor and then it requires a majority plus five);
- to adjourn debate;
- to commit or recommit;
- to resolve the House into a Committee of the Whole;
- to proceed to the orders of the day;
- to recur to the morning hour;
- to fix the hour to which the House shall next meet;

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to grant free conference powers;  
to divide the question.

b. The following motions shall not be permitted at the same stage of the bill or proposition until one hour of time has elapsed since the same question was negatived:

for the previous question;  
to lay on the table;  
to adjourn debate;  
to continue;  
to commit or recommit;  
to recur to the morning hour.

**8.12** Motions to adjourn, to recede, and to recede subject to the call of the Chair, shall always be in order except while the House is actually engaged in deciding a question by yeas and nays or in voting *viva voce* or in balloting. However, if a motion to adjourn or to take a recess has been negatived, no new motion to adjourn or take a recess shall be in order until fifteen minutes shall have elapsed from the decision of the former motion, even though such motion to recede might be to recede to a different time.

**8.13** (Reserved)

**8.14** When a question shall have been once decided in the affirmative or negative, any member who voted with the prevailing side may on the same day or the next day of the sitting of the House move for a reconsideration thereof and the House, if in session for statewide matters, shall immediately have the question of reconsideration before it. If the House is not in session for statewide matters or have before it a matter under Special Order, it shall have the question of reconsideration before it as provided in Rule 6.3. *Provided*, that, if the motion to reconsider concerns an amendment to the matter under Special Order, the House shall immediately have the question of reconsideration before it. If the House shall refuse to reconsider, or, upon reconsideration, shall affirm its first decision, no further motion shall be in order except by unanimous consent; *provided*, that once a motion to reconsider is made it may not be withdrawn except in the same day in which it was made.

*Provided*, that a motion to reconsider shall not be allowed if the bill, resolution, message, report, amendment, motion, or the paper upon

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which the vote was taken shall have gone out of the possession of the House.

A motion to reconsider may be laid on the table. If such motion be laid on the table, it shall be deemed a final disposition of the motion.

**8.15** A member may move to continue a matter when called on the Calendar to the next session, but not to a specific date in the next session; and if the House agrees thereto, the matter shall be thereupon continued to the next session, and the Clerk of the House shall make up a Calendar of all the matters so continued, placing the same thereupon, in the order in which they have been continued. At the ensuing session the continued matters shall be taken up and considered in the same stage in which they were when so continued and shall have priority according to the last order for consideration made upon them.

If a motion to continue, having received an affirmative vote, shall be reconsidered and thereupon such motion to continue shall receive a negative vote, the matter shall be taken up in its original place on the Calendar.

### Rule 9

#### Amendments

**9.1** A bill which originated in the House, or which, having originated in the Senate and having been amended by the House, shall be returned from the Senate with amendments, such bill as amended shall be printed, placed on the House Calendar, and shall not be considered until its number and title shall have been printed in the House Calendar for at least one statewide day prior to such reading. *Provided*, however, that this requirement shall not apply to local bills; nor shall this requirement apply to bills returned from the Senate with amendments during any extension of the session under Section 2-1-180 of the Code of Laws of South Carolina, 1976, or to bills returned from the Senate with amendments during an extra session pursuant to Article IV, Section 19 of the South Carolina Constitution.

The consideration of amendments shall have precedence over a motion to either concur or nonconcur in the Senate amendments. Once the matter is amended and all pending amendments are considered, then said bill is returned to the Senate for consideration.

If no amendments have been adopted by the House then the question shall be: 'Will the House agree to the Senate amendment?' A

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decision in the negative shall be a rejection. Upon a decision in the affirmative, the title of the bill shall be changed to an act and ordered to be enrolled.

**9.2** At the third reading of a bill, no amendment shall be permitted without unanimous consent, except that the Chairman of the Committee on Ways and Means may (if he shall have given notice at the second reading of his intention to offer amendments at the third) be permitted to offer amendments to any appropriations bill, as may be pertinent to the bill. The chairman of any committee may (if he has given notice at the second reading of his intention to offer amendments at the third) be permitted to offer technical amendments to any bill which has been reported from his committee; and

*Provided*, that the House may, in its discretion, commit or recommit any bill at its third reading and after the report of the committee any amendment which it shall recommend may be adopted.

**9.3** No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment unless it refers to the intent of the motion or proposition under consideration. *Provided*, that nothing in this rule shall prevent a committee from amending and favorably reporting a Senate bill with an amendment identical to the final version of a House bill that was referred to that committee and passed by the House during the current two-year session. *Provided*, further, that nothing shall prevent the adoption of an amendment which rewrites the bill in its entirety if the bill as rewritten remains germane to the original title of the bill. *Provided*, further, that in determining whether or not any amendment be germane, the Speaker of the House of Representatives shall be guided by precedents of the House of Representatives to the extent available.

**9.4** A proposed amendment shall be in order regardless of the number of changes proposed therein to the matter under debate, *provided* such amendment is otherwise in order. Proposed amendments must be typewritten and in the proper format for the computer system except as allowed by the Speaker at his discretion.

**9.5** Proposed amendments to any matter before the House shall be initially considered in the order in which received.

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**9.6** Proposed amendments to local bills may not impact, affect, or reference any portion of a county other than the county originally referenced in the local bill.

**Rule 10**

**Miscellaneous**

**10.1** Only the following persons shall be admitted within the House Chamber during a session of the House unless otherwise authorized by House Resolution.

The present and former members and officers and present employees of the House of Representatives; the members of the Press as designated by the Speaker of the House of Representatives; the Governor; the Lieutenant Governor; each statewide constitutional officer; the present members, officers, and employees of the Senate; the present employees of the Legislative Council; dignitaries and the family of members designated by the Speaker, employees of the respective legislative delegations; the employees of legislative caucuses, and such persons as may be invited by resolution of the House; *provided*, however, that employees of legislative caucuses, legislative delegations, the Senate, state agencies, and other branches of state government that are authorized admittance must remain behind the rail in the back of the Chamber at all times when the House is in session; *provided*, no seat in the House shall be occupied by anyone except the members thereof. No lobbyist, including former members registered as lobbyists, shall be admitted within the Hall without special leave of the House. No former member seeking personal favors nor any former member who has filed as a candidate or is a candidate for a position which is elected by the General Assembly shall be admitted within the outer doors of the Chamber without special leave of the House. *Provided*, that no member of the Press may conduct interviews within the House Chamber while the House is in session.

*Provided*, that notwithstanding other provisions of this rule, access within the outer doors of the Chamber is denied to any former House member who has been convicted of a crime, the conviction of which would impose a maximum penalty of imprisonment of one year or more. This paragraph does not apply to a former House member who is re-elected to either House of the General Assembly after the conviction of the crime referred to in this paragraph.

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**10.2** Whenever the pronoun ‘he’ appears in any rule, it shall be deemed to designate either masculine or feminine. The words ‘person’ and ‘party’ and any other word importing the singular number used in any bill or resolution shall be held to include the plural and to include firms, companies, associations, and corporations and all words in the plural shall apply also to the singular in all cases in which the spirit and intent of the bill or resolution may require it. All words in a bill or resolution importing the masculine gender shall apply to females also and words in the feminine gender shall apply to males. And all words importing the present tense shall apply to the future also.

### **10.3** Definitions of measures:

#### 1. ‘Resolutions’ This term includes:

a. ‘House Resolution’ which affects only the action of the House and the members thereof. It requires only one reading for adoption, and shall not be submitted to the Senate.

b. ‘Concurrent Resolution’ which affects only the action of the General Assembly and the members thereof. It requires only one reading in each House for adoption.

c. ‘Joint Resolution’ which shall have the same force of law as an act, but is a temporary measure, dying when its subject matter is completed. It requires the same treatment as a bill does in its passage through both Houses, but its title after passage shall not be changed to that of an act; and when used to propose an amendment to the Constitution it does not require the approval of the Governor.

2. ‘Bill’ A bill is the term applied to a measure introduced in either House designed to become a permanent law (or an ‘act’).

It must be read and adopted three times on three separate days in each House, following which its title is changed to that of an act.

3. ‘Act’ An act is the term applied to a bill that has passed both Houses, been ratified by the presiding officer of each House and signed by the Governor or passed over his veto. It is a permanent measure, having the force of law until repealed.

4. ‘Veto’ The term used for disapproval of a bill or joint resolution by the Governor. It may be overridden by a two-thirds vote of the members present and voting of each House.

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**10.4** The House shall not accept any invitations to attend functions (social or otherwise) which are to be held at a club or organization which does not admit as members persons of all races, religions, colors, sexes, or national origins. All invitations received shall be referred to the Committee on Invitations and Memorial Resolutions and the five House members on the Committee on Invitations and Memorial Resolutions shall have the duty of recommending to the House which invitations should be accepted.

**10.5** Each member of the House shall be entitled to appoint one individual as a House page to perform such duties as determined by the Speaker. The provisions of this rule shall be contingent upon the General Assembly providing for at least one hundred twenty-four House pages in the annual General Appropriations Act for the fiscal year during which such session shall take place. Any additional House pages authorized shall be appointed by the Speaker in his sole discretion. Pages and guests of the House shall observe appropriate and dignified attire which means shirt and tie for males and dress, skirt or slacks and blouse, or pants suits for females. This provision shall be enforced by the Speaker.

**10.6** Laptop computers located in the House Chamber may not be removed from the Chamber.

**10.7** No smoking or use of tobacco products is permitted in any area under the exclusive control of the House of Representatives unless the area is otherwise designated a 'smoking area' by the Speaker. Smoking for purposes of this rule includes carrying a lighted cigar, cigarette, pipe, or any other lighted smoking equipment. *Provided*, further, that the consumption of food is not permitted within the House Chamber.

**10.8** No member of the House shall incur more than one thousand eight hundred dollars in long distance telephone charges at state expense during any fiscal year. If a member accumulates more than one thousand eight hundred dollars in long distance telephone expenses during any fiscal year, he shall be billed and must reimburse the State on a monthly basis for the remaining balance.

**10.9** House Resolutions granting the privilege of admittance to the House Chamber to persons not otherwise granted the privilege pursuant to House Rule 10.1 are limited to the following conditions:

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(a) The privilege of admittance to the House Chamber is limited to school teams or school groups that have won state or national championships or received statewide or national awards. Individual persons are not granted the privilege of admittance to the House Chamber.

(b) School teams or groups may be scheduled for the privilege of admittance to the House Chamber only on Wednesdays and Thursdays that the House is in session, and no more than two teams or groups may be scheduled in one day. *Provided*, further, that no school teams or groups may be granted the privilege of admittance to the House Chamber during the last week of the regularly scheduled legislative session.

(c) The House member wishing for the qualified school team or group to have privilege of admittance to the House Chamber shall introduce a House Resolution granting the privilege on a 'date and time to be determined by the Speaker of the House'. The House of Representatives shall adopt the resolution in order for the team or group to be granted the privilege. *Provided*, the school team or group's list of members, coaches, mascot, and other appropriate school officials must be listed on the House Calendar for the day in which they are granted the privilege of admittance to the House Chamber. The House member sponsoring the resolution shall provide the appropriate information to the Clerk five days in advance of the school team or group scheduled admittance to the House Chamber.

(d) All other teams, groups, or individuals not otherwise allowed the privilege of admittance to the House Chamber may be recognized in the balcony of the House Chamber at a 'time determined by the Speaker of the House'. *Provided*, no presentation either within the House Chamber or in the balcony may exceed five minutes, and no one, other than a House member, may speak or make remarks during a presentation.

**10.10** The use of audible pagers, cell phones, and any other personal communication device by any person is prohibited in the House Chamber when the House is in session and when the General Assembly is meeting in Joint Session. The use of these devices by any person is also prohibited in House committee meetings and subcommittee meetings. These devices must be turned off, or placed in a silent mode, such as vibrate, prior to being carried into the House Chamber, committee meetings, or subcommittee meetings. Should a device which has been placed in a silent mode activate in the Chamber, a committee

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meeting, or subcommittee meeting the person possessing the device must exit the Chamber, committee room, or subcommittee room prior to responding in any fashion.

**10.11** The Clerk's office shall establish procedures for providing House members with certificates commemorating birthdays, anniversaries, retirements, achievements, awards, etc. as needed. House members shall request certificates in writing and provide the Clerk's office with the information necessary to complete the certificates.

The Clerk's office also shall establish procedures whereby members may have House certificates and House and Concurrent Resolutions framed at local businesses providing framing services within the Columbia area during the legislative session. House members are responsible for paying for all framing services within a timely manner.

The Clerk's office shall establish procedures whereby staff shall deliver framing requests to local businesses no more than one time each legislative day. *Provided*, further, the Clerk's office shall establish procedures whereby staff shall pickup framing requests from local businesses no more than one time each legislative day. Framing requests will not be delivered or picked up on nonlegislative days. All framing requests, upon their completion and pickup, must be delivered to the House member on the State House complex. House staff may not deliver framing requests to members outside the State House complex."

The Resolution was adopted.

Reps. G. M. SMITH, BALLENTINE, BANNISTER, BEDINGFIELD, BERNSTEIN, CLEMMONS, CLYBURN, K. R. CRAWFORD, GAMBRELL, HICKS, MACK, MITCHELL, NORRELL, RUTHERFORD, J. E. SMITH, SOTTILE, WEEKS proposed the following Amendment No. 1 to H. 3001 (COUNCIL\BBM\3001C001.BBM.AHB15), which was adopted:

Amend the resolution, as and if amended, by deleting Rule 1.7 and inserting:

/ "1.7 The Speaker shall be elected on the opening day of the organizational session by the membership of the House. Pursuant to this rule a person elected Speaker may not serve more than five consecutive terms in that office." /

Amend further by deleting Rule 1.8 and inserting:

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/ “1.8 The Speaker *Pro Tempore* shall be elected on the opening day of the organizational session. ~~The Speaker *Pro Tempore* shall preside in the absence of the Speaker and shall preside in the absence of the Speaker.~~ If a conflict of interest arises involving the Speaker and the performance of his duties the Speaker *Pro Tempore* shall perform the duties of the Speaker to the extent that the conflict of interest exists. Furthermore, pursuant to this rule a person elected Speaker *Pro Tempore* may not serve more than five consecutive terms in that office. *Provided*, the Speaker or the Speaker *Pro Tempore*, whoever may be presiding at the time, may name a member to preside, but such substitution shall not extend beyond an adjournment. In the absence of the Speaker and the Speaker *Pro Tempore* for more than one day, the House may elect a Speaker *Pro Tempore* to serve until the return of the Speaker or Speaker *Pro Tempore*. When the Speaker *Pro Tempore* is absent for more than three consecutive statewide legislative days, the House of Representatives may elect an acting Speaker *Pro Tempore* who shall serve until the return of the Speaker *Pro Tempore*. The acting Speaker *Pro Tempore* may continue to serve on any committee to which he has been appointed.” /

Amend further by deleting Rule 1.9 and inserting:

/ “1.9 All committees shall be appointed by the Speaker, unless otherwise provided for by rule or by law, except Senatorial and Gubernatorial appointees and *ex officio* members of the House. The Speaker shall name the members constituting each committee in alphabetical order. The Chairman shall be elected by the respective committees during the organizational session. If any subsequent vacancy shall occur in a committee’s chairmanship, the election of a new committee chairman shall take place at the time and date to be set by the presiding officer of the respective committee. The committees may at their discretion elect a Vice-Chairman and such other officers as they may choose.

*Provided*, when appointing members to a Committee on Conference or Free Conference, the Speaker shall consult with the majority and minority political party leaders and appoint at least one member of the minority political party represented in the House.” /

Amend further by deleting Rule 4.2 and inserting:

/ “4.2 As soon as practicable after the members have been sworn in and have taken their seats, the following Standing Committees, except the House of Representatives Legislative Ethics Committee, and the House of Representatives Committee on Operations and Management,

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shall be appointed with the indicated number of members appointed thereto:

1. Committee on Ways and Means – 25.
2. Committee on the Judiciary (Privileges and Elections) – 25.
3. Committee on Agriculture, Natural Resources and Environmental Affairs (Fish, Game, Forestry, State Parks, Rural Development, Environmental Affairs) – 18.
4. Committee on Education and Public Works (Education, Highways, State House and Grounds, Railroads, Aviation) – 18.
5. Committee on Medical, Military, Public and Municipal Affairs (Medical Affairs, Social Security, Penitentiary, State Hospital, Police Regulations, Military Affairs, Veteran’s Affairs) – 18.
6. Committee on Labor, Commerce and Industry (Labor, Commerce and Manufacturing, Banking and Insurance, Merchants and Mercantile Affairs) – 18.
7. Committee on Rules – 15.
8. Committee on Interstate Cooperation (membership limited to 5, under 1976 Code, Sec. 1-17-30) – 5.
9. Committee on Regulations and Administrative Procedures (State Agency Rule Making, SC Code of Laws Section 1-23-10 et seq.) - 13.
10. Committee on Legislative Oversight (Oversight and Review of Government Operations and Accountability, SC Code of Laws Section 2-2-5 et seq.) - 20.
- ~~9-11.~~ House of Representatives Legislative Ethics Committee – 10.
- ~~10-12.~~ Committee on Invitations and Memorial Resolutions (Invitations, Resolutions memorializing the Federal or State Government or any official or agency thereof, sympathy, and congratulatory Resolutions) – 5.
- ~~11-13.~~ Committee on Operations and Management of the House of Representatives (Advisory to the Speaker on personnel, administration and management of facilities, including management of the Blatt Building) – 7 8.

Each member shall serve on one and only one of the first six Standing Committees listed above. However, a member of these Committees may also serve on any one of the following Committees: Committee on Regulations and Administrative Procedures, Committee on Legislative Oversight, Committee on Rules, Committee on Interstate Cooperation, Committee on Ethics, Committee on Invitations, or Committee on Operations and Management of the House of

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Representatives. The Speaker, Speaker *Pro Tempore*, and Clerk shall serve as *ex officio* members of the Committee on Operations and Management of the House of Representatives but no chairman of any other standing committee shall serve as a member of such committee.

Provided, that a minimum of two members from each of the first six Standing Committees listed above shall be appointed to the Committee on Regulations and Administrative Procedures.

Provided, that the members of the Committee on Operations and Management of the House of Representatives (advisory to the Speaker on personnel, administration and management of facilities), and the members of the House of Representatives Legislative Ethics Committee, shall be elected by the members of the South Carolina House of Representatives, their terms to be coterminous with their respective term of office. The Committee on Operations and Management of the House of Representatives shall consist of eight members. Four members of the committee shall be members of the majority party represented in the House of Representatives and four members shall be members of the minority party represented in the House of Representatives or be nonaffiliated with any party or another party not in the majority. The Chairman of the Committee on Operations and Management of the House shall be one of the four members of the committee from the majority party represented in the House to be elected by the members of the committee. Other officers of the committee are not required to be affiliated with a particular party.

*Provided, that the Committee on Education and Public Works shall be deemed to be the Committee on Education, and the Committee on Medical, Military, Public and Municipal Affairs shall be deemed to be the Committee on Military Affairs and the Committee on Medical Affairs, in all cases where the statutes provide for the Chairman of these committees to perform *ex officio* duties.*

*Provided, that the Committee on Operations and Management of the House of Representatives with the consent of the Speaker may formulate such policies as it deems advisable relating to House personnel. Such policies shall be distributed to the members and must be adopted by majority vote of the House by House Resolution.*

*Provided, that except as herein provided neither the Speaker nor Speaker *Pro Tempore* shall be a member of any of the foregoing Standing Committees.*

No member shall be appointed on a committee before he has been sworn in and has taken his seat. Any member who is sworn in after the general announcement of the committee shall, within a few days

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afterward, be placed by the Speaker on a Standing Committee whose number of members will not thereby be extended beyond the number provided in these rules.

After a committee has been appointed, no addition to it or change shall be made, except to fill a vacancy or to remove a member for conduct unbecoming a member.

*Provided*, that in filling a vacancy, the assignment of any member may be changed from another committee to fill such vacancy.” /

Amend further by deleting Rule 4.8 and inserting:

/ “4.8 Any bill, report, petition, or other paper except an amendment which may come before the House, may be committed or recommitted before a final decision thereon. *Provided*, further that the Speaker ~~may, in his discretion,~~ shall commit to a committee any bill, joint resolution, or concurrent resolution returned from the Senate with an amendment that has so materially changed the bill that the bill’s contents, as amended by the Senate, are no longer substantially germane to the bill, joint resolution, or concurrent resolution as it passed the House. Such bill, joint resolution, or concurrent resolution may be reported out of the committee with its recommendation and shall be placed on the Calendar under the heading of second reading or concurrent resolution. If not amended, it shall be enrolled as an act and ratified. If said bill, joint resolution, or concurrent resolution shall be amended, it shall be returned to the Senate at the conclusion of the process as a House amendment. *Provided, the provisions of this rule may be dispensed with by a two-thirds vote of the membership present and voting of the House, a quorum being present.*” /

Amend further by deleting Rule 4.16 and inserting:

/ “4.16 A. The House of Representatives Legislative Ethics Committee consists of ten (10) members. The ten members of the House of Representatives Legislative Ethics Committee shall be elected by the members of the House. Five members of the committee shall be members of the majority party represented in the House of Representatives and five members shall be members of the minority party represented in the House of Representatives or be nonaffiliated with any party or another party not in the majority. The Chairman of the Ethics Committee shall be one of the five members of the committee from the majority party represented in the House to be elected by the members of the committee. Other officers of the committee are not required to be affiliated with a particular party and shall be elected by members of the committee as well.

~~The committee has the following powers and duties:~~

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~~(1)(a) to receive complaints or charges concerning conduct alleged to be unethical from any citizen of this State or member of the House against:~~

- ~~(i) House members;~~
- ~~(ii) former House members, provided the allegations are related to the former member's service in the House;~~
- ~~(iii) candidates for the House;~~
- ~~(iv) former candidates for the House, provided the allegations are related to the former candidate's bid for the House;~~
- ~~(v) officers and employees of the House;~~
- ~~(vi) staff and independent contractors of a House legislative caucus committee.~~

~~Only sworn written complaints or charges may be considered;~~

~~(b) to file a complaint upon concurrence of at least four members of the House Ethics Committee when alleged violations are identified;~~

~~(c) for purposes of this Rule, unethical conduct may include, but is not limited to, a:~~

- ~~(i) violation of Chapter 13, Title 8;~~
- ~~(ii) violation of Chapter 17, Title 2; or~~
- ~~(iii) breach of this Rule by a person designated in a.(1)(a) above or as designated by statute;~~

~~(2) to investigate these complaints and charges and, if warranted, to report the results of these investigations to the House with recommendations for further appropriate action as authorized by law;~~

~~(3) upon request of any member, officer, or employee of the House to render advisory opinions with regard to legislative ethics when, in their judgment, these opinions would serve the public interest, and to act as an advisory body to the House and to individual members of or candidates for the House on questions pertaining to the disclosure and filing requirements;~~

~~(4) to make available annually to the House a compilation of the principles provided in advisory opinions rendered;~~

~~(5) to administer or recommend appropriate sanctions or dismiss charges;~~

~~(6) to ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13, Title 8 and promptly notify the person to file the necessary notices and reports to satisfy the requirements; and~~

~~(7) to recommend a rule or statutory change relating to ethics as the committee deems appropriate.~~

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~~b. All papers, documents, complaints, charges, requests for advisory opinions, and any other material required to be filed with or received by the committee are strictly confidential prior to a finding of probable cause, or a waiver of confidentiality by the respondent. No persons involved with a complaint before the committee, including complainant, respondent, counsel, counsel's secretaries, committee members and staff, and investigators shall mention the existence of any proceeding nor disclose any information pertaining to it, unless otherwise permitted by the Rules. Disclosure of confidential information must be punished in a manner provided by the Ethics, Government Accountability, and Campaign Reform Act. If the House Ethics Committee finds that a person has violated the provisions of this subsection, it must report its findings to the Attorney General.~~

~~c. Information that must be made public following a finding of probable cause or waiver of confidentiality by the respondent is:-~~

- ~~(1) the complaint;~~
- ~~(2) the response by the respondent;~~
- ~~(3) any exhibits introduced at a public hearing, subject to redaction of information of a personal nature when public disclosure would constitute unreasonable invasion of personal privacy; and~~
- ~~(4) the final order issued by the committee.~~

~~d. All investigations, inquiries, hearings and accompanying documents must remain strictly confidential until a finding of probable cause, unless the respondent waives the right to confidentiality.~~

~~(1) A certified copy of the sworn statement of charges against the respondent must be given to him or her within ten days of the time the statement of charges is received by the Chairman of the Ethics Committee. The respondent has the right to file a response to the complaint within fifteen calendar days after receipt of the complaint and to face and cross examine his accusers and the witnesses against him at any hearing called by the Ethics Committee. All hearings following a finding of probable cause must be conducted in open session. The Ethics Committee must call a hearing if a majority of the membership of the Ethics Committee feels that the charges have merit or if the respondent formally requests a hearing.~~

~~(2) No complaint may be accepted by the Ethics Committee concerning a member of or candidate for the House during the fifty day period before an election in which the member or candidate is participating. During this fifty day time period, a person may petition the court of common pleas alleging the violations complained of pursuant to the provisions of Section 8-13-530. Action on a complaint~~

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~~filed against a member or candidate which was received more than fifty days before the election but which cannot be disposed of or dismissed by the Ethics Committee at least thirty days before the election must be postponed until after the election.~~

~~(3) If the Ethics Committee determines the complaint does not allege facts sufficient to constitute a violation, the complaint must be dismissed and the complainant and respondent notified. If the Ethics Committee finds that the complaining party wilfully filed a groundless complaint, the finding must be reported to the Attorney General. If the Ethics Committee determines the complaint alleges facts sufficient to constitute a violation, it shall promptly investigate the alleged violation and may compel by subpoena the attendance and testimony of witnesses and the production of pertinent books and papers. The subpoena must be signed by the Chairman of the House Ethics Committee.~~

~~(4) No complaint shall be accepted which is filed later than four years after the violation is alleged to have occurred.~~

~~e. All ethics committee investigations and records relating to the preliminary investigation are confidential unless otherwise permitted by the Rules.~~

~~(1) If the Ethics Committee finds that probable cause exists to support an alleged violation after a preliminary investigation, as appropriate, it shall:~~

~~(a) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or~~

~~(b) convene a formal hearing on the matter.~~

~~(2) If the Ethics Committee renders an advisory opinion and the respondent fails to comply, the committee must convene a formal hearing on the matter within thirty days of the respondent's failure to comply.~~

~~(3) If a hearing is to be held, the respondent must be allowed to examine and make copies of all evidence in the Ethics Committee's possession relating to the charges. The Committee must establish procedures which afford respondents appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. All hearings must be conducted in open session.~~

~~(4) After the hearing, the Ethics Committee shall determine its findings of fact. If the Committee, based on competent and substantial evidence, finds the respondent has violated Chapter 13, Title 8, or Chapter 17, Title 2, or violated this Rule, it shall:~~

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- (a) administer a public reprimand;
- (b) require the respondent to pay a civil penalty not to exceed two thousand dollars for each nontechnical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;
- (c) require the forfeiture of gifts, receipts, or profits, or the value of them, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;
- (d) recommend expulsion of the member;
- (e) in the case of an alleged criminal violation, refer the matter to the Attorney General for investigation; or
- (f) require a combination of subitems (a) through (e), as necessary and appropriate.

If the Ethics Committee finds the respondent has not violated a statutory provision or Rule or engaged in unethical behavior, it shall dismiss the charges.

(5) The Ethics Committee shall report its findings in writing to the Speaker of the House. If the Committee finds a violation of a statutory provision or Rule or finds unethical behavior, the report must be accompanied by an order of punishment that is supported and signed by a majority of the Ethics Committee members.

(6) The respondent has ten calendar days from the date of the notification of the Ethics Committee's action to appeal the action to the full House.

(7) No Ethics Committee member may participate in any matter in which he is involved as a respondent.

(8) Upon receipt of a recommendation of expulsion or an appeal from an order of the Ethics Committee, the Speaker of the House shall call the House into open session at a time to be determined at his discretion to consider the action of the Ethics Committee. The House shall either sustain or overrule the Ethics Committee's action or order other action consistent with these Rules as otherwise permitted by statute. The consideration and results of a House Ethics Committee report are a matter of public record.

(9) No member may vote on the question of his expulsion from the House.

(10) Failure to fully comply with a final ethics order is a separate violation that may be considered by the Ethics Committee.

f. If the House Ethics Committee finds the respondent has failed to file or was late in filing a required statement of economic interest or campaign disclosure report, the House Ethics Committee must order the

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~~respondent to pay a fine according to the provisions in Section 8-13-1510.~~

~~g. The House Ethics Committee may, in its discretion, determine that errors or omissions on statements of economic interests and campaign disclosure reports are inadvertent and unintentional and not an effort to violate a requirement of Chapter 13, Title 8 and may be handled as technical violations not subject to the provisions of Chapter 13, Title 8 pertaining to ethical violations. The House Ethics Committee may assess a penalty for technical violations not exceeding fifty dollars.~~

~~h. The Speaker of the House, and the House Ethics Committee on behalf of the entire House, may receive:~~

~~(1) certified copies of any indictment or information for a felony or offense against the election laws filed or returned against any member of the House;~~

~~(2) certified copies of any plea of guilty or nolo contendere to the felony entered by any member of the House;~~

~~(3) certified copies of any conviction of a member for a felony;~~  
~~and~~

~~(4) certified copies of any opinion, order, or judgment of any court, state or federal, trial or appellate, relating to any of the aforementioned matters.~~

#### B. Jurisdiction

(1) The committee shall have jurisdiction over individuals and entities pursuant to Chapter 13, Title 8.

(2) No matter shall be considered later than four years after the violation allegedly occurred.

(3) No complaint may be accepted by the Ethics Committee concerning a member of or candidate for the House during the fifty-day period before an election in which the member or candidate is participating.

#### C. Duties

The committee shall:

(1) receive complaints or allegations concerning any person under the jurisdiction of the committee alleging a violation of Chapter 13, Title 8 or Chapter 17, Title 2;

(2) upon a majority vote of the members of the committee initiate a complaint concerning any person under the jurisdiction of the committee alleging a violation of Chapter 13, Title 8 or Chapter 17, Title 2;

(3) cause to be investigated these complaints or allegations;

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(4) upon request of any member, officer, or employee of the House render committee advisory opinions with regard to legislative ethics when, in its judgment, these opinions would serve the public interest. Such advisory opinions shall serve as binding precedent for the committee until specifically altered or withdrawn;

(5) act as an advisory body to the House and to individual members of or candidates for the House on questions pertaining to Chapter 13, Title 8 or Chapter 17, Title 2;

(6) issue through its staff a written informal advisory opinion, based on real or hypothetical sets of circumstances, to a person or entity within the committee's jurisdiction upon that person's or entity's request. If an informal advisory opinion is raised as a defense in response to a complaint, the committee shall consider whether the respondent is the person who requested the informal advisory opinion or is a member of the entity that requested the informal opinion. The committee also shall consider the accuracy of the facts presented in the informal advisory opinion and determine whether the respondent relied in good faith upon the written informal advisory opinion. The committee shall consider this information prior to making a probable cause determination;

(7) administer or recommend appropriate sanctions or dismiss charges as the result of a properly filed complaint;

(8) ascertain whether a person has failed to comply fully and accurately with the disclosure requirements of Chapter 13, Title 8 and promptly notify the person to file the necessary disclosures to satisfy the requirements and assess and collect any fines or fees authorized by state law for the failure to timely file a disclosure statement; and

(9) recommend a rule or statutory change relating to ethics as the committee deems appropriate.

D. Complaints and Investigations

(1) Complaints must be written, sworn, and contain allegations of specific conduct believed to be a violation within the jurisdiction of the committee.

(2) When a complaint is filed with or by the committee, a copy must be sent to the person alleged to have committed the violation, the respondent, within thirty days from the date the complaint was filed and prior to the initiation of any investigation.

(3) If the committee determines that the complaint alleges facts sufficient to constitute a violation, an investigation shall be conducted into the alleged violation.

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(4) Upon the initiation of an investigation by the committee, pursuant to Rule 4.16D.(3) the committee shall notify the respondent of what matters it intends to investigate and the respondent shall have the opportunity to submit a written response to any complaint or allegations being investigated within thirty days of being notified by the committee.

(5) The committee may compel testimony and issue subpoenas for the procurement of witnesses and materials including books, papers, records, documents, or other tangible objects relevant to its investigation by approval of the chairman or a majority of the committee membership, subject to judicial enforcement as provided by law. The committee may administer oaths and affirmation for the testimony. A person to whom a subpoena has been issued may move before the committee for an order quashing a subpoena issued pursuant to this rule.

(6) If the committee determines that assistance is needed in conducting an investigation, the committee shall request the assistance of appropriate agencies.

(7) Upon completion of the committee's investigation, the committee shall make a determination as to whether there is probable cause to believe a violation under its jurisdiction has occurred. If the committee determines that there is no probable cause it shall dismiss the complaint. If probable cause is found the committee may either:

(a) render an advisory opinion to the respondent and require the respondent's compliance within a reasonable time; or

(b) convene a formal public hearing on the matter within thirty days.

(8) The committee shall refer any matters, regardless of a finding of probable cause, that are violations of law not under its jurisdiction to the appropriate law enforcement or regulatory agency.

E. Formal Public Hearings

(1) All formal public hearings of the committee must be open to the public subject to the provisions of the Freedom of Information Act (Chapter 4, Title 30).

(2) The investigator or attorney handling the investigation for the committee shall present the evidence related to the complaint at any public hearing and shall not serve as counsel to the committee during the hearing.

(3) It is the duty of the investigator or attorney to further investigate the subject of the complaint and any related matters under the jurisdiction and at the direction of the committee, to request assistance from appropriate state agencies as needed, to request authorization from the House of Representatives for funds for the hiring of auditors,

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investigators, or other assistance as necessary, to prepare subpoenas, and to present evidence to the committee at any public hearing. The committee shall maintain the authority to approve subpoenas, dismiss complaints, schedule hearings, grant continuances, and any other authority as provided for by the rules.

(4) The respondent must be allowed to examine and make copies of all evidence in the committee's possession relating to the charges. At the hearing the respondent must be afforded appropriate due process protections, including the right to be represented by counsel, the right to call and examine witnesses, the right to introduce exhibits, and the right to cross-examine opposing witnesses. The committee shall issue subpoenas for the attendance of witnesses requested by the respondent pursuant to these rules.

(5) The committee may deliberate in executive session but must render its findings of fact and issue any sanctions in a public hearing.

#### F. Sanctions

(a) If the committee finds the respondent has committed a violation within the committee's jurisdiction it shall:

(1) administer a public reprimand;

(2) determine that a technical violation as provided for in Section 8-13-1170 or 8-13-1372 has occurred;

(3) require the respondent to pay a civil penalty not to exceed two thousand dollars for each nontechnical violation that is unrelated to the late filing of a required statement or report or failure to file a required statement or report;

(4) require the forfeiture of gifts, receipts, or profits, or the value of each, obtained in violation of Chapter 13, Title 8 or Chapter 17, Title 2;

(5) recommend expulsion of the member;

(6) provide a copy of the complaint and accompanying materials to the Attorney General if the committee finds that there is probable cause to support the existence of criminal intent on the part of the respondent when the violation occurred;

(7) require a combination of items (1) through (6) as necessary and appropriate.

(b) The Committee shall report its findings in writing to the Speaker of the House of Representatives. The report must be accompanied by an order of punishment and supported and signed by a majority of the ethics committee members. If the committee finds the respondent has not violated a code or statutory provision, it shall dismiss the charges.

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(c) The complainant or respondent has ten days from the date of the notification of the committee's action to appeal the action to the full legislative body by written notice to the Speaker of the House.

G. Confidentiality

(1) All investigations and accompanying documents are confidential and only may be released pursuant to this rule.

(2) The respondent or his counsel may, by written notice, waive the confidentiality requirement. The committee shall not accept any partial waivers.

(3) After a finding of probable cause by a majority of the committee or a waiver by the respondent, the following documents become public record: the complaint, the response by the respondent, the notice of hearing, exhibits introduced at a hearing, the committee's findings, and the final order. Exhibits introduced must be redacted prior to release to exclude personal information when the public disclosure would constitute an unreasonable invasion of personal privacy including, but not limited to, social security and bank account numbers.

H. General Provisions

(1) Unless otherwise indicated by rule or statute, all meetings, deliberations, actions, issuance of advisory opinions, debates, recommendations, and other activities of the committee are subject to the provisions of the Freedom of Information Act (Chapter 4, Title 30).

(2) In an instance when the statutory process of amending a required disclosure form cannot adequately correct an error or omission contained in the form, persons subject to the jurisdiction of the committee may request that the committee correct the original filing electronically. All requests must be made to the committee in writing, containing the specific error or omission to be corrected and an explanation as to why the statutory amendment process is not adequate. The request is considered public and must be supported by a vote of a majority of the committee to be carried out. The committee will maintain a record of requests made and changes made for no less than five years.

(3) Notwithstanding Section 8-13-1340, a member of the House shall not, directly or indirectly, establish, finance, maintain, or control any entity including, but not limited to, a noncandidate committee that receives or makes contributions as defined in Section 8-13-1300. This rule does not apply to a candidate committee or a legislative caucus committee.

(4) The Clerk of the House shall, in consultation with the Chairman of the Ethics Committee, cause to be employed by the House

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of Representatives, counsel exclusively for the purpose of providing legal advice and counsel to the Ethics Committee. Counsel employed for this purpose shall not be employed by or with any office within the House of Representatives other than the office of the Clerk of the House.” /

Amend further by adding Rule 4.20 to read:

/ “4.20 All Committees and subcommittees shall order a roll call vote, with the yeas and nays recorded in the minutes, on the questions of adopting a bill or joint resolution with a favorable report.” /

Amend further by deleting Rule 5.3A. and inserting:

/ “A. Certificate: Every General Appropriations Bill and Supplemental Appropriations Bill for the ordinary expenses of State Government before presentation shall have attached thereto a certificate from the ~~Budget Division of the State Budget and Control Board~~ Revenue and Fiscal Affairs Office stating that the total of the appropriations therein provided for is not in excess of the estimated total revenue of the State for such purposes, including that revenue which may be provided for in the bill, or in any other bill previously passed by the House for the fiscal year to which the bill is applicable, and an Appropriations Bill without such certificate shall not be read the first time in the House, but shall be returned to the Committee on Ways and Means by the Speaker. After passage on second reading and before its consideration on third reading, every General Appropriations Bill, and every Supplemental Appropriations Bill shall have attached thereto a certificate from the ~~Budget Division of the State Budget and Control Board~~ Revenue and Fiscal Affairs Office that the total of the appropriations therein provided is not in excess of the estimated total revenue of the State for such purposes, including that revenue which may be provided in the bill, or in any other bill previously passed by the House for the fiscal year to which the bill is applicable, and if the ~~Budget Division~~ Revenue and Fiscal Affairs Office cannot give such certificate, the Speaker shall order the bill recommitted to the Ways and Means Committee.” /

Amend further by deleting Rule 5.6 and inserting:

/ “5.6 Except as provided in subsection 5.1, the first reading of the bill shall be by title only. No amendments shall then be in order and the bill shall be referred to some committee, unless the House unanimously agrees, without debate, to dispense with reference. *Provided, a request to dispense with reference to committee shall not be in order unless the call of the roll of the House has been taken that day and the Speaker has determined a quorum to be present.*” /

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Amend further by deleting Rule 5.14 and inserting:

/“5.14 No report of a Committee on Conference or Free Conference, except on a *Sine Die* Resolution, ~~the General Appropriations Bill, the Supplemental Appropriations Bill, the Capital Reserve Fund,~~ or local matters, shall be considered until such report has been printed in the House Journal and explained by the conferees on the floor of the House.

Provided, no report of a Committee on Conference or Free Conference concerning the General Appropriations Bills, Supplemental Appropriations Bills for the ordinary expenses of State Government, or legislation appropriating the Capital Reserve Fund, shall be considered until such report has been:

- (1) printed in the House Journal; and
- (2) made available online to the public for at least twenty-four hours.

The provisions of this paragraph may be specifically dispensed with by a two-thirds vote of the members present and voting of the House, a quorum being present.” /

Amend further by deleting Rule 5.19 and inserting:

/ “5.19 a. No member shall speak more than twice on the main question of a bill or resolution being considered for any reading and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. No member shall speak more than twice upon an amendment or a motion to reconsider that is debatable and then not longer than ten minutes each time. However, if the previous question has been invoked, no member may speak more than twice on a motion to reconsider that is debatable and then not longer than the amount of time remaining for debate of the underlying motion; *provided*, that proposed amendments announced and introduced by the Reading Clerk shall be considered prior to a member speaking on the bill. No member shall speak more than twice on Senate amendments to a House bill and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. The House may, however, by consent of a majority of the members present and voting suspend the operation of this rule during any debate on any particular question before the House.

Provided, each bill or joint resolution, prior to receiving second reading, must be explained for a minimum of ten minutes or until all questions from House members are addressed, whichever occurs first.

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The committee chairman of the committee to which a bill or joint resolution was referred, the committee chairman's designee, the sponsor(s) of the bill or joint resolution, and other members of the House may jointly explain the bill or joint resolution in order to provide the required explanation.

b. Subsection a. of this rule shall be applicable on a section-by-section basis on debate upon the General Appropriations Bill, the Supplemental Appropriations Bill, or the bond bills but shall not apply to bills on reapportionment.

c. The question of granting Free Conference Powers shall require an affirmative vote of two-thirds of the membership of the House and is not debatable. No member shall speak more than twice on the question of adoption of a Conference or Free Conference Report and not longer than sixty minutes for the first speech nor longer than thirty minutes for the second speech, unless allowed to do so by the affirmative vote of a majority of the members present and voting. When the pending question is adoption of a Conference or Free Conference Report, the yeas and nays must be taken by roll call and the votes on it must be recorded by name in the Journal. Furthermore, the question of adoption of a Conference or Free Conference Report is subject to the provisions of Rule 8.6.” /

Amend further by deleting Rule 6.1a. and inserting:

/ “6.1 a. The House shall meet each legislative day at 12:00 Noon every Tuesday, 10:00 a.m. every Wednesday, and 10:00 a.m. every Thursday and Friday unless otherwise ordered by the House. *Provided*, that by motion made at any time the House by majority vote may fix the day and hour at which time the House shall next meet (not to exceed constitutional limitations) and this shall be decided without debate.

*Provided*, further, that during the first three weeks of the ~~first year~~ of a legislative session, unless a majority of the House members present object, on Wednesdays the House shall meet at 2:00 p.m. to provide time in the morning hours for committees to meet and hearings to be held.

*Provided*, further, that unless ordered otherwise, the House shall consider only local uncontested matters on Friday of each week.” /

Amend further by deleting Rule 9.1 and inserting:

/ “9.1 A bill which originated in the House, or which, having originated in the Senate and having been amended by the House, shall be returned from the Senate with amendments, such bill as amended shall be printed, placed on the House Calendar, and shall not be considered until its number and title shall have been printed in the House Calendar for at least one statewide day prior to such reading. *Provided*,

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however, that this requirement shall not apply to local bills; nor shall this requirement apply to bills returned from the Senate with amendments during any extension of the session under Section 2-1-180 of the Code of Laws of South Carolina, 1976, or to bills returned from the Senate with amendments during an extra session pursuant to Article IV, Section 19 of the South Carolina Constitution.

The General Appropriations Bill, Supplemental Appropriations Bill for the ordinary expenses of State Government, and legislation appropriating the Capital Reserve Fund, having been returned from the Senate with amendments, shall not be considered until:

(1) their number and title shall have been printed in the House Calendar; and

(2) their contents, as amended, have been made available online to the public for at least forty-eight hours.

The consideration of amendments shall have precedence over a motion to either concur or nonconcur in the Senate amendments. Once the matter is amended and all pending amendments are considered, then said bill is returned to the Senate for consideration.

If no amendments have been adopted by the House then the question shall be: 'Will the House agree to the Senate amendment?' A decision in the negative shall be a rejection. Upon a decision in the affirmative, the title of the bill shall be changed to an act an ordered to be enrolled." /

Amend further by adding Rule 10.12 to read:

/"10.12 The Clerk's Office shall establish procedures for the hiring of staff for the House of Representatives. The procedures must provide that the Clerk's Office shall receive and review all applications for employment vacancies within the House, and the Clerk's Office shall submit a list of the most qualified applicants to the appropriate supervisory authority for consideration. The appropriate supervising authority shall select an applicant from the list submitted by the Clerk's Office. If the appropriate supervisory authority determines no applicant is acceptable the Clerk's Office shall reopen the application process, receive and review additional applications for the vacancy, and will resubmit a list of the most qualified applicants to the appropriate supervisory authority. The appropriate supervisory authority's selected applicant then must be submitted to the Speaker of the House for final appointment as a member of the staff of the House of Representatives.

For purposes of this rule the Speaker of the House and the Speaker Pro Tempore are the supervisory authority for their respective offices. The Committee Chairmen are the supervisory authority for their

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respective committees, and the Sergeant at Arms is the supervisory authority for security personnel necessary for the proper performance of the Sergeant at Arms' office and security needs of the House Chamber, Solomon Blatt Building, and other areas under the Sergeant at Arms' jurisdiction. The Clerk is the appropriate supervisory authority for administrative and clerical staff of the House necessary for the proper operation of the Clerk's Office and the general administrative and clerical needs of the House.

Provided, the appropriate supervisory authority's selected applicant must be submitted to the Speaker of the House for final appointment as a member of the staff of the House of Representatives."/

Amend further adding Rule 10.13 to read:

/"10.13 The Clerk's Office shall conduct reviews of employee salaries and compensation and shall, upon consultation with the appropriate supervisory authority, submit salary and compensation recommendations regarding new and current employees to the Speaker of the House. After consideration of these recommendations, the Speaker shall set the salary and compensation of new and current employees."/

Renumber sections to conform.

Amend title to conform.

Rep. G. M. SMITH explained the amendment.

Rep. G. M. SMITH spoke in favor of the amendment.

Rep. HILL moved to divide the question.

Rep. G. M. SMITH moved to table the motion.

Rep. HILL demanded the yeas and nays which were taken, resulting as follows:

Yeas 119; Nays 1

Those who voted in the affirmative are:

Alexander	Allison	Anderson
Anthony	Atwater	Bales
Ballentine	Bamberg	Bannister
Bedingfield	Bernstein	Bingham
Bowers	Bradley	Brannon
G. A. Brown	R. L. Brown	Burns
Chumley	Clary	Clemmons

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Clyburn	Cole	Collins
Corley	H. A. Crawford	K. R. Crawford
Crosby	Daning	Delleney
Dillard	Douglas	Duckworth
Erickson	Felder	Finlay
Forrester	Funderburk	Gagnon
Gambrell	George	Gilliard
Goldfinch	Govan	Hamilton
Hardwick	Hart	Hayes
Henderson	Henegan	Herbkersman
Hicks	Hiott	Hixon
Hodges	Horne	Hosey
Howard	Huggins	Jefferson
Johnson	Kennedy	King
Kirby	Limehouse	Loftis
Long	Lowe	Lucas
Mack	McCoy	McEachern
McKnight	M. S. McLeod	W. J. McLeod
Merrill	Mitchell	D. C. Moss
V. S. Moss	Nanney	Neal
Newton	Norman	Norrell
Ott	Parks	Pitts
Pope	Putnam	Quinn
Ridgeway	Riley	Rivers
Robinson-Simpson	Rutherford	Ryhal
Sandifer	Simrill	G. M. Smith
G. R. Smith	J. E. Smith	Sottile
Southard	Spires	Stavrinakis
Stringer	Tallon	Taylor
Thayer	Tinkler	Toole
Weeks	Wells	Whipper
White	Whitmire	Williams
Willis	Yow	

**Total--119**

Those who voted in the negative are:

Hill

**Total--1**

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So, the House refused to divide the question.

The question then recurred to the consideration of the amendment.

Rep. G. M. SMITH continued speaking.

Rep. W. J. MCLEOD spoke upon the amendment.

The question then recurred to the adoption of the amendment.

The amendment was then adopted.

Rep. BEDINGFIELD proposed the following Amendment No. 2 to H. 3001 (COUNCIL\BBM\3001C002.BBM.AHB15):

Amend the resolution, as and if amended, by adding Rule 4.20 to read:

/ “4.20 All Committees and subcommittees shall order a roll call vote, with the yeas and nays recorded in the minutes on every proposal that may become part of a South Carolina Statute. Such minutes must be posted on the Legislature’s website.” /

Renumber sections to conform.

Amend title to conform.

Rep. BEDINGFIELD explained the amendment.

Rep. G. M. SMITH spoke against the amendment.

Rep. G. M. SMITH moved to commit Amendment No. 2 to the Rules Committee, which was agreed to.

**2014 ELECTION OF OPERATIONS AND MANAGEMENT  
COMMITTEE**

The SPEAKER announced that nominations were in order for eight members of the House Operations and Management Committee.

The following names were placed in nomination: Reps. BAMBERG, WHIPPER, GOVAN, KNIGHT, LONG, TOOLE, CROSBY and G. R. SMITH.

On motion of Rep. HIXON, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the SPEAKER announced that Reps. Reps. BAMBERG, WHIPPER, GOVAN, KNIGHT, LONG, TOOLE, CROSBY and G. R. SMITH, having received the necessary number of the votes cast, were duly elected for the term prescribed by law.

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**ELECTION OF HOUSE ETHICS COMMITTEE**

The SPEAKER announced that nominations were in order for ten members of the House Ethics Committee.

Pursuant to House Rule 4.16, the House must elect five members of the majority party to the Ethics Committee.

The following names were placed in nomination: Reps. BINGHAM, HORNE, G. M. SMITH, GAMBRELL and PITTS.

Pursuant to Rule 4.16, the House must elect five members who are not members of the majority party.

The following names were placed in nomination: Reps. KING, STAVRINAKIS, BERNSTEIN, DILLARD and WEEKS.

On motion of Rep. TAYLOR, nominations were closed, and with unanimous consent, the vote was taken by acclamation, resulting in the election of the nominees.

Whereupon, the SPEAKER announced that Reps. BINGHAM, HORNE, G. M. SMITH, GAMBRELL, PITTS, KING, STAVRINAKIS, BERNSTEIN, DILLARD and WEEKS were duly elected for the term prescribed by law.

Rep. WILLIAMS moved that the House do now adjourn, to meet at 10:00 a.m. tomorrow, which was adopted.

**ADJOURNMENT**

At 4:21 p.m. the House, in accordance with the motion of Rep. HERBKERSMAN, adjourned in memory of Jeannie "Jenny" Bedenbaugh of Prosperity, to meet at 10:00 a.m. tomorrow.

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